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MARRIAGE IN A CHANGING SOCIETY

A Study in Structural Change among the Fort Jameson Ngoni

BY

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Professor Schapera has kindly pointed out that my use of the term 'band' for a group of wives is likely to cause confusion, as this word has other technical uses in anthropology. He has suggested the term 'bevy' in lieu. It has not been possible to make the change in this paper, but readers should substitute 'bevy' for 'band' throughout. 128

J. A. Barnes

London, June 1950

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INTRODUCTION

MARRIAGE among the Ngoni is much the same as anywhere else. 581 It establishes a relationship between a man and a woman, regulates their sexual activities, locates their children in the kinship system and influences the inheritance of their property. These general features, however, do no more than define and identify marriage, and distinguish marriage from concubinage. Our task 121 is to analyse the particular features that distinguish Ngoni marriage from other marriage systems and to relate marriage to other institutions and social processes in Ngoni society.

In Ngoni history there has always been marriage. Indeed men and 581 women look back longingly to a past when people married properly 183 and decorously, and when adulterers were killed, and bemoan the promiscuity of the present when no woman's fidelity is certain. Yet even now old people still expect their juniors to marry and their expectations are fulfilled. Adults are assumed to be married, and the assumption is justified.

Marriage is seen by the Ngoni as part of the natural order. Unmarried adults cannot fill important roles and are regarded as [589] overgrown children whose anomalous condition must be explained by reference to a malady or a physical or moral defect. Yet despite the universal and permanent character of marriage as an Ngoni institution there have been, in the course of the hundred and thirty years which constitute Ngoni history, great changes in the procedures [178] and implications of marriage and in its relations to other aspects of the social life of which it is a part. These changes have been paralleled in other Ngoni institutions, in law, in local organization, in religion and above all in political structure. In this paper we 121 shall attempt to contrast the institution of marriage as seen at two stages in Ngoni history and to relate it to the general plan of social life at these two periods. We shall also discuss some of the processes of change that have brought about the differences we observe and which to some extent are still at work in contemporary Ngoni society.

It is convenient to compare marriage as it was during the 1890's 124 and as it is at the present day. The information relating to the 121 earlier period is contained only to a slight extent in contemporary [127] documents,[1] and consists largely in the recollections of older men and women as recorded by a number of writers from 1914 onwards. The

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[1] The most important of these are Wiese's articles, 'Expediçao portugueza a M'Pesêne (1889)', in *Boletim da Sociedade de Geographia de Lisboa*, x (1891) pp. 235-73, 331-430, 465-97, and xi (1892) pp. 373-599. (All page references cited are from Vol. X); and 'Beitrage zür Geschichte der Zulu im Norden des Zambezi, namentlich der Angoni,' *Zeitschrift für Ethnologie*, xxxii (1900), pp. 181-200.

124 information is insufficient for any reconstruction in great detail, but
121 the general principles are clear and to some extent our conclusions
can be checked by reference to material from other areas, particularly
the nineteenth century accounts of the Ngoni of Northern Nyasaland
[114] and the Zulu. The account of present-day marriage is based on
information collected in the field during 1946-9.[3]

The period of the 1890's is chosen for comparison with the present
648 because of the catastrophic change in Ngoni life which occurred in
178 1898 when they were defeated by the British. Old people who were
alive during the period are still available for questioning and many
[115] younger people have been told of those times by their parents and
grandparents. Although Ngoni cannot generally remember beyond
[129] their grandparents, genealogies collected now yield some information
about the 1890's and link that period to the present. Important
178 social changes occurred in 1898, changes which for the greater part
were, and still are, regretted by the Ngoni, and these accentuate the
difference between time present and time past. The past is
186 recollected and recounted and has a moral value. Children are
taught the glories of the past to compensate them for the inadequacies
819 of the present. The teaching of tribal history as a school subject
reinforces this view. With the passage of time the past has been
idealized and simplified but the picture is still clear enough for us to
be able to distinguish probable fact from unlikely rationalization.
Marriage in 'the time of peace', as the period prior to 1898 is called,
is one aspect of this picture.

128 Marriage is one part of kinship, for it is by the twin processes of
[581] marriage and childbirth that the web of kinship is spun. For the
purposes of our analysis we have had to sever marriage from its
context in what may appear at times rather an arbitrary fashion.
A society is a whole, if not always a well integrated whole, and no
one part of it can be fully understood without a simultaneous
knowledge of all its other parts. Societies persist, more or less,
through time, and it is clear that we cannot hope to grasp the total
significance of the working of a society at any one time without a
knowledge of the changes or lack of change in that society both before
and after. Yet we cannot marshal all these relationships simultaneously,
let alone present them through the medium of words.
Our attempt to comprehend the present cannot wait until we have
full knowledge of the future, and our analysis of one sector of a
system must proceed in advance of our synthesis of the whole.
Ngoni society has persisted through the last sixty years rather less
[182] than more, and it may well be argued that present-day Ngoni
society is poorly integrated. Nevertheless it is to be hoped that
121 an analysis of Ngoni marriage may, on the one hand, demonstrate

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[3] I made two visits to the Fort Jameson Ngoni while on the staff of the Rhodes-Livingstone Institute, spending in all a year and eight months there. I was assisted by my clerk, Mr. M. B. Lukhero, in inquiring into former conditions as well as observing contemporary social life.

that despite the vicissitudes of history there is some unbroken but 121
continually changing system of social relationships which we may
call Ngoni social structure, and that there is therefore some point
in comparing Ngoni marriage in the 1890's with Ngoni marriage
to-day; and on the other hand may prepare the way for a broader
analysis of Ngoni kinship, of which marriage is one part.

The Fort Jameson Ngoni, with whom alone we are concerned in 101
this paper, differ considerably from the other Ngoni groups in
Africa and there is evidence that there are differences in marriage
arrangements even from the nearby groups in Northern and Southern
Nyasaland. The Fort Jameson Ngoni, numbering about 85,000, [161]
live in the Fort Jameson District of Northern Rhodesia and in the
Fort Manning division of Lilongwe District of Nyasaland. Their 131
country stretches from 13°25'S to 14°S latitude and from 32°10'E
to 35°15'E longitude. Like other Ngoni groups they have a history
of migration from Natal at the time of the rise of the Zulu under 167
Shaka in the 1820's. They arrived at their present abode in about
1870 and were conquered by British troops in 1898. The leader [648]
of the group was Mpezeni I, and the present Paramount Chief, [643]
Mpezeni III, is his son's son's son. There are ten county chieftain-
ships in Northern Rhodesia and two in Nyasaland, and each chief 631
has his own court. The people live by subsistence cultivation, with
maize as the main crop. A little maize and some cattle are sold 241
to the local European-owned tobacco farms and in the township of [439]
Fort Jameson, but the principal source of money income is work
on the farms or at the urban centres of Southern Rhodesia and the 464
railway line of Northern Rhodesia. Many women and almost all
men have been to Southern Rhodesia at some time or other[3].

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[3] For an outline account of the social structure of this group, see Barnes, 'The Fort Jameson Ngoni', pp. 194 - 252 in Elizabeth Colson and Max Gluckman, eds., *Seven Tribes of British Central Africa*, London, Oxford University Press, 1951.

[P.1]

CHAPTER I

MARRIAGE IN THE TIME OF PEACE

1. *The old social structure*

IN THE DAYS before the European conquest, the Ngoni people lived 361
in large villages each containing hundreds of huts built round a
central cattle byre. Each married woman had her own hut [585]
and there were separate dormitories for boys and for girls. The huts
were grouped into small clusters, each containing the dwellings of a
few close agnates with their wives and children under the leadership [592]
of the senior male agnate. If the leader of the cluster was an
important person, captives taken in war were allocated to him and [554]
their huts were included in his own cluster. Clusters were grouped [727]
into divisions, each usually under the control of a village lieutenant.
Within the same division the heads of clusters were either agnates 621
of the lieutenant or were people who had been captured by him or [624]
his father or who had been allocated to him by the chief and who
were therefore bound to him as quasi-kinsmen. Several divisions
made up a village under a headman or a regional governor. The [622]
village lieutenants were dependents or former captives of the headman
or his ancestors, and were allocated to their divisions by him.
Some divisions were under the control of junior kinsmen of the
headman. Each village was attached to a royal headquarters where 631
there was a senior queen. This arrangement of clusters, divisions,
villages, and royal headquarters, which I refer to as the residential [128]
system, seems to have been similar to that found to-day among the [171]
Swazi.[1]

The system was a growing one. Brothers brought up in the same 631
cluster gradually achieved their independence and split off to
establish clusters of their own. The heads of clusters grew in 571
importance and were promoted to village lieutenants so that their clusters became divisions, while divisions grew too large to be contained within the villages and moved off to establish themselves as separate villages. This process of expansion did not in itself affect the formal hierarchy of authority. The lieutenant who established his own village as a distinct spatial entity still remained a lieutenant of his lord, and deferred to him in matters of importance. The same word[2] was used to refer to a division of a royal headquarters, a division of a village, and a cluster within a division. The relationships of superordination and subordination between persons remained the same despite changes in spatial separation.

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[1] Cf. Kuper, *An African Aristocracy*, p. 68.

[2] *Cigaŵa*, pl. *vigaŵa*, from *ku-gaŵa*, to divide.

631 Succession to office within this system was from a man to his
428 eldest son by his great wife. A man inherited from his father not
only his father's dependents but also his father's political superiors.
The segments of the system, although some of them had special
names, could all be referred to by the name of the person in charge
of each segment. The heir succeeded to the name of his father and
to responsibility for the segment named after his father. New
641 people came into the system in two ways: by birth and by capture.
[727] Captives were placed in the system by decree of the Paramount
Chief and his regional governors. The function of marriage was,
[581] in this context, to locate children in the system unambiguously and
uniquely.

571 Two systems of relationships set up ties which cut across the lines
of the residential system. These were the military regimental
system of age-sets and the bilateral kinship system. In this paper
121 we shall be concerned only incidentally with the regimental system,
in so far as it directly affected marriage. We are, however, concerned
with the kinship system, and in particular with the relationship
of husband and wife. By careful choice of wives for himself and his
581 sons a man ensured that his own group of agnates was linked to
602 many other agnatic groups by bonds of affinity and, in the next
generation, of matrilateral kinship.

It is from this point of view that we can best approach the analysis
of marriage as it was in 'the time of peace'. Marriage arrangements
[182] then worked in conjunction with the residential system which is
[178] now in decay and it is not surprising that the replacement of the
old system by a new one has been accompanied by changes in the
kinds of marriage entered into by Ngoni men and women.

2. *Fidelity and fertility*

171 The old Ngoni residential system had much in common with the
Zulu and Swazi systems and there was much in common in the realm
581 of marriage. Marriage involved a permanent transfer of the fertility
613 of the woman to the man's group. The children of a man's wife
fell entirely within his own segment of the system, so that political
602 ties became coincident with lineage ties. But while marriage secured
for a man legitimate descendents with whom to people his own
segment, it also established ties of affection and obligation which
cut across the cleavage lines of the residential system. A man and
his affines were linked in a specific relationship, entailing definite
rights in division in the marriage, validated by the transfer of cattle
and made permanent by the birth of children. The rites of marriage
affirmed the transfer of the woman's fertility, the agnatic affiliation
of her children, and the rights and obligations of affines towards one
another. This pattern is common to many peoples organized
588 patrilineally. Nevertheless, some of the characteristics of highly
developed agnatic systems, such as ghost marriage, the marriage
of wives by a woman, and the marriage of a queen with cattle
contributed by the whole nation, were not found among
the Ngoni.

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Informants are agreed that in the old days young men and women 584
married whom they were told and never attempted to make their
own choice against their parents' will. From evidence available this
seems to be an oversimplification. It seems likely that individual
choice mattered less in those days than it does now, but it cannot
have been entirely inoperative. It is said that each regiment of men
used to flirt with its corresponding women's regiment, and that 114
marriages sometimes followed. Wiese says that among the aristo- 581
cratic families a woman had the right to choose her own husband,
but that this right was dying out and it was becoming the practice
to marry off daughters so as to secure the most marriage cattle
and maintain upper-class endogamy.[3] It is true that on the evidence 565
of genealogies there do not seem to have been many marriages 582
between very aristocratic women and the most recently captured
men, and that therefore we are justified in assuming a tendency
towards upper-class endogamy, but this tendency seems not to have
been very strong and indeed there never was a clear-cut upper class [563]
but instead a method of ranking families in terms of ethnic origin.
My informants never suggested that a man would marry his daughter 581
so as to bring in as many cattle as possible, and it seems unlikely
that this was ever a common motive.[4]

A girl was expected to be chaste before she was married. From 836
the procedure adopted by the Zulu and from information from other [171]
Ngoni groups, it seems likely that girls were examined at marriage
to check that they had not been deflowered. Rattray records this
among the Ngoni of Southern Nyasaland,[5] and Read makes a similar
statement.[6] My own informants had such faith in the sexual
rectitude of the past as contrasted with the promiscuity of the
present that it was difficult to establish what they really thought
happened. It seems that unmarried people were allowed intercourse
inter crura and that this was considered not a violation of chastity.
The whole question has been obscured by the conflict of values [183]
between the South-Eastern Bantu leaders, whose view appeared [177]
to have prevailed at the time, and the recent captives from the [578]
Cewa and kindred peoples, who believed that a girl would die if
she did not copulate at puberty. We shall see the outcome of this
conflict when we come to discuss modern marriage.

As might be anticipated in a system in which marriage is a transfer 842
of fertility, a wife was expected to be fertile. If she was barren
special procedures were adopted to validate the substance of the 595
marriage. A man could appeal to his wife's relatives for another

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[3] Wiese, op. cit. 'Expediçao . . .', p. 473 and 'Geschichte . . .', p. 191.

[4] See below, p. 120.

[5] Rattray, *Some folk-lore stories and songs in Chinyanja, with English translation and notes*, S.P.C.K., 1907, p. 115.

[6] Margaret Read, 'The Moral code of the Ngoni and their former military state', *Africa*, xi (1938), p. 6.

842 woman, who was sometimes a younger sister or a junior father's
595 daughter. This woman then became a linked co-wife (*nshansi*)[7]
subordinate to her barren sister. If the linked wife was also barren
then the man could demand another one. The barren woman was
never sent back to her own relatives but continued to live with her
husband. Children of the linked wife were allocated to her and she
587 became responsible for their upbringing. Similarly if a wife died
before she had borne a child a linked co-wife replaced her.

842 If the man was sterile he used to arrange for a friend to sleep
secretly with his wife so that she should conceive. The friend was
837 rewarded with a beast after a child had been born but the reason
for making the reward was kept secret. If a seedraiser was caught
he was killed for committing adultery, despite the fact of his having
been called in by the husband.[8]

839 As well as being fertile, wives were expected to be chaste. On
this point the evidence is clear. Wiese states that adulterers were
684 always killed;[9] all subsequent writers have agreed with him. I
was told that if the woman's husband was not an important person
he was sometimes placated with a present of cattle. If the husband
persisted in referring the matter to the chief the senior lieutenants
of the chief might intercede on his behalf, if this was the man's
first offence. Otherwise the man and the woman were both killed
by one of the senior lieutenants.

562 The approved mode of behaviour for women was chastity before
[831] marriage, submission in the choice of husband, and fertility and
fidelity in marriage. These obligations were clear-cut and definite
and of universal applicability. The obligations of affines towards
602 one another were not so straightforward, and their fulfilment was
a process marked by ritual transfers of cattle and carefully prescribed
modes of behaviour. In particular the relationship of a man to his
606 wife's mother was altered progressively from one of strict avoidance
to openly expressed friendliness. The stages in the process represented
the gradual acceptance of the man into the family of his wife's
parents as a son-in-law, the father of their daughter's children.

586 Marriage was entered into without compulsion on either side, but
[584] the right to terminate it was held in the man's group alone. A
woman could not on any ground secure a divorce. All my informants
agreed on this point. A man could divorce his wife at any time by
sending her back to her own kinsfolk, giving her a small present as
an indication that he had divorced her. If he had offered bridewealth
for her, her kinsfolk were under an obligation to provide him with a

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[7] Read, in her 'Moral code', p. 18 translates this word (*nhlansi*) as 'substitute'. Lancaster, 'Tentative chronology', p. 79, gives the word as *nshlanse*. Kuper, *An African Aristocracy*, p. 39 translates the Swazi word *inhlanti* as 'subordinate co-wife'. I have chosen the translation 'linked co-wife' as there are other kinds of subordinate co-wife who are not *nshansi*, and some *nshansi* are not substitutes.

[8] See below, p. 34.

[9] Wiese, op. cit. 'Expedicao . . .', p. 471, and 'Geschichte . . .', pp. 189-90.

new wife to replace the divorced woman. Divorce however seems 586 to have been rare, and in the genealogies I collected I met with only one instance of divorce at this period.

3. *Payments and ceremonies*

Betrothal[10] was a preliminary to marriage but was not compulsory. 584 A girl was betrothed only if she was sought in marriage before puberty and the marriage then did not take place until some years after puberty. If a girl passed puberty without being betrothed she was subsequently married without a betrothal period. A man was expected to make presents to the girl he had betrothed and he began to adopt avoidance relationships towards her parents. If after puberty the girl or her parents wished to break off the engagement they could do so but were then under an obligation to return the man's presents. The ceremony at which an aristocratic girl after puberty chose her own husband has been described by Wiese.[11]

In the marriage itself there are two main stages marked by two 583 distinct transfers of cattle. The first transfer was called 'snuff-box', *mfuko*. The name of the payment is based on the practice of begging snuff from one's friends and acquaintances and indicates something trifling and not recoverable. It consisted of one beast. Payment of 'snuff-box' established the man's rights to bring an action against an adulterer but it did not give him the right to take his wife away to his own village nor to the custody of any children she might bear [591] him. These rights were obtained only by the payment of bridewealth, *maloŵolo*,[12] which consisted of from one to a dozen beasts [851] depending on the status of the woman's father. Both payments, 'snuff-box' and bridewealth, were made by the man or, if he was a young man, by his father to his wife's father. No specifically defined relatives were obliged to help a man find his marriage cattle but a man with few cattle of his own looked for assistance to the head of his cluster. Similarly there were no definite rules of distribution of the marriage cattle among the woman's relatives and the matter

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[10] The verb is *ku-komeka* for a man, and the passive *ku-komekewa* for a woman. Cf. Bemba *uku-kobeka* and *uku-kobekwa* in Richards, *Bemba Marriage and Present Economic Conditions* (Rhodes-Livingstone Papers, No. Four), p. 61.

[11] In his later paper he calls the ceremony *inyamuale*. In the earlier paper 881 he calls the ceremony held at first menstruation *inkamuale* and says that after this ceremony the girl went with others to choose the man she liked. The vernacular words he mentions are presumably connected with the modern Nyanja *cinamwali*, which is now sometimes applied to three ceremonies held (1) at first menstruation, (2) six months later, *cinamwali caciwaye*, and (3) after first pregnancy, *cinamwali cacikulu*. The abstract noun *unamwali* is sometimes used in place of the concrete *cinamwali*. Cf. Wiese, op. cit., 'Expediçao . . .', p. 473, and 'Geschichte . . .', p. 191; Rattray, op. cit. pp. 102 and 190; Stigand, 'Notes on the natives of Nyasaland, N.E. Rhodesia, and Portuguese Zambezia, their arts, customs and modes of subsistence', *JRAI*, xxxvii (1907), p. 121; Read, 'Tradition and prestige among the Ngoni', *Africa*, ix (1936), p. 472; Young and Banda, *Our African Way of Life*, pp. 22-4.

[12] Cf. the Zulu verb *uku-loɓola;* also Rattray, op. cit. p. 199.

583 was left to the discretion of her father. 'Snuff-box' was handed over before the man began to sleep with his bride while bridewealth could be paid either then or later after the woman had borne children. Once bridewealth had been paid the rights of the man's group were definitely established and, in the event of the man's death, one of [587] his younger brothers became the widow's pro-husband in leviratic marriage.

583 851 The significance of bridewealth is clearly indicated by the procedure followed in marriages in which it was not paid. If a man paid 'snuff-box' and then died before he paid bridewealth, the children of the marriage belonged to his wife's kinsmen and not to his kinsmen. His brothers could secure the woman as the wife of one of them, and the children as legitimate members of their segment, by payment of bridewealth. It is said that a woman could refuse to go to a brother of her dead husband under these conditions but that she could not refuse to give up the children to the husband's kinsman who paid bridewealth. If although bridewealth had been paid she went off and married another unrelated man the children she bore to her new husband belonged to her dead husband's kin.

583 Some informants say that if a man died without having paid bridewealth his sons were under an obligation to pay cattle to their mother's kin on behalf of their dead father, but I did not hear of any instance in which this had been done. Similarly it is said that if a man had paid bridewealth but had never been given a linked co-wife, his son could claim a wife from the kin of the woman for whom bridewealth had been handed over. Other informants deny this possibility, and say that it was the man's son's son who could have made this claim. I did not hear of any instances of either practice in the past and when recently a chief tried to claim a wife on the strength of bridewealth offered by his father, he failed.

[727] [554] Important men sometimes married female captives and no bridewealth passed. These wives were usually not of high status and their sons founded lines junior to those of sons by other wives for whom bridewealth had been paid.

583 183 The general impression gained from the tales of old informants and from the contemporary literature is that 'snuff-box' and bridewealth were paid in most marriages. The evidence, such as it is, from a survey of the marriages experienced since birth by men and women alive in 1946-9 suggests that this was not so. The way in which this survey was conducted is described below.[13] The information on pre-1898 marriages is set out in Tables I and II. [128]

It will be seen that in half (7 out of 14) of these marriages, no payments at all were offered. In the marriage in which 'snuff-box' was [276] offered it consisted not of a beast but of a quantity of tobacco. In about a third of the marriages the only payment made was the 'legalization payment', which traditionally was not part of the pre-1898

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[13] See pp. 22f.

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marriage system. We shall discuss the legalization payment at some length in the succeeding chapters, for it is the most important of all the payments made in modern marriage. A possible explanation of its occurrence in these early marriages is that although the marriages themselves were made before 1898, the payments were made considerably later. The amounts alleged to have been handed over as legalization payments may have been regarded as 'snuff-box' at the time of payment although they are now referred to as legalization payments, either because of the general obsolescence of the term 'snuff-box' or because my informants thought I would know the new term and not the old one. Another possibility is that even before 1898 the vernacular term for legalization payment (*cimalo*) was in use as a synonym for 'snuff-box'. The term itself was certainly in use among neighbouring tribes before 1898.

128

This is a very small sample from which to draw any conclusions, but it is of value in suggesting where the reality of social life differed

Table I. Pre-1898 marriage payments: incidence

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Payments made	Number of marriages
'Snuff-box' only	1
Bridewealth only	1
Legalization payment only	5
None	7
Total	14
Not known if any payments were made or not	4
Grand total	18
In this sample there were no pre-1898 marriages in which more than one kind of payment was made	

Table II. Pre-1898 marriage payments; magnitude

Payment	Magnitude	Number of marriages
'Snuff-box'	Handful of tobacco	1
Bridewealth	8 beasts	1
Legalization payment	1 beast	2
	1 chicken	1
	Cloth	1
	Not known	1
	Total	5

128 from the recollections of informants and the accounts of contemporary
writers. Even in a society as rapidly expanding as was the Ngoni
554 before 1898, the majority of the population at any one time consists
of people who are politically unimportant. What were remembered
581 and what was recorded at the time were the marriages of leaders
184 and their close relatives. It is they, more than others, who were
distinctively Ngoni, and it was by their actions that the values
of Ngoni society were emphasized and developed. Their marriages
[187] were important in maintaining tribal solidarity and it is the system
exemplified in these marriages that we have been describing. But
the recent captives, the poor, the unsuccessful warriors, the junior
sons of junior sons, they also married and their marriages were at
least as numerous as those of their more fortunate brethren, despite
the large bands of wives acquired by successful men.

583 The data in our sample provide suggestions as to both the relative
frequency of marriage without payment and the kind of relationship
554 that held between payment and status of spouse. The eight cattle
were offered by one of Mpezeni's senior lieutenants as bridewealth
for the daughter of a man of Nsenga origin. Two junior sons of this
lieutenant each offered a beast as legalization payment for a wife,
one of whom was the daughter of a divisional head. A legalization
payment of unknown magnitude was made in a marriage between
a village headman and a daughter of another of Mpezeni's senior
lieutenants. These four marriages we may regard as important
marriages between people of high status accompanied by marriage
payments which usually were substantial. Among persons of low
status we find that in six out of the seven marriages in which no
payment was made, one or both of the spouses had been captured.
Intermediately we have the remaining two marriages in which the
legalization payment was made and the one in which 'snuff-box'
was paid, all involving people of low or middle status and accompanied by relatively small payments, namely a chicken, some cloth,
and tobacco. This positive correlation between status and payment
holds for thirteen out of the fourteen marriages, but one marriage
without payment was between one of the same junior sons of the
lieutenant and the daughter of a man of Kalanga origin.

From such evidence as there is, it seems probable that marriages
between people of high status were usually accompanied by substantial payments. At the same time, many of the marriages of people
of low status and some of the unimportant marriages of men of high
status took place without payments. What proportion of the total
these marriages accounted for we cannot now ever hope to know.
However since they amount to half of our pre-1898 sample it seems
probable that they constituted a considerable fraction of all the
marriages contracted at that time.

581 The payment of 'snuff-box and bridewealth were the crucial
events establishing a marriage but there were a number of other
transfers of beer and cattle, and a number of ceremonies without

which the marriage lacked substance. We may look on these rites 581
as fulfilling two social functions. Firstly they affirmed the position
of the bride as wife of her husband, and secondly they emphasized [182]
the role of her parents as parents-in-law. In all the ceremonies of marriage the man and his wife were supported by members of their own groups, but we do not know exactly who these supporters were. They may have been agnatic kin, maternal kin, neighbours, or political superiors. From what we know of modern marriage it is likely that the composition of these groups of supporters was never rigidly determined.

The beginning of the marriage was announced at a ceremony 585
which we may refer to as the gall bladder rite. It was held in the
man's village and, after a beast had been killed, the bride was [237]
anointed with its gall and intestinal fat.[14] Another rite, which
took place up to a year later, was held when the bride cooked [252]
food for her husband for the first time.[15] Before this ceremony she relied for her food on the man's other wives or his mother or grandmother. If the marriage was a successful one, that is, if the woman had borne live children and the husband was treating her 606
well, the woman's parents showed their appreciation of their son-in-law by sending him, from time to time, presents of beer.[16] The [273]
son-in-law, or his father, rewarded the women who brought the [431]
beer with a present of meat. Later, the wife's parents brewed beer for the son-in-law and called him to their village so that he might formally enter his wife's mother's hut.[17] Later still, a ceremony was held at which the man and his wife's mother ate together.[18] At these rites of entering into the mother-in-law's hut or eating with her, a beast was sometimes killed by the father-in-law for the benefit of the man.

4. *Relationship to affines*

Apart from the specific ceremonial obligations there were continuing obligations of hospitality and assistance between the
two groups. There was always visiting between them, and indeed [594]

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[14] This ceremony is called *lusiwa*, a word said to be of Zulu origin whose meaning I have been unable to trace. Informants were unable to say what it meant. The gall bladder is called *nyongo*, from the Zulu *inyongo*. Rattray, op. cit. pp. 40 and 114, and Scott, *A cyclopaedic dictionary of the Mang'anja language spoken in British Central Africa*, p. 486, both translate the Nyanja word *nyongo* as spleen, but from Rattray's description of a marriage ceremony it seems that a gall bladder must have also been in use among the Ngoni of Southern Nyasaland.

[15] *Mphekiso*. Cf. the Zulu *uku-phekisa*, to help or make to cook. Weise, op. cit. 'Expediqao . . .', pp. 473-4, and 'Geschichte . . .', p. 192 describes what seems to be a similar ceremony, which he says took place a few days after marriage.

[16] All offerings of beer which are carried from one place to another, to a son-in-law or to a headman or chief, are called *vipeko*. Cf. Zulu *uku-pheka*, to cook.

[17] Called *mngeniso*. Cf. Zulu *uku-ngenisa*, to enter another person's hut.

[18] Called either *muyelano*, from the Zulu *uku-dlana*, or *kulyelana*, from the Nsenga *ku-lyelana*, both verbs meaning 'to eat together'.

606 591 Wiese suggests that the woman only gradually transferred her place of residence from her father's village to that of her husband.[19] 593 If the husband and wife quarrelled, the woman ran away to her father's village for protection, and had to be persuaded to return by her husband. It is difficult to find out if there was any obligation on the man to labour for his father-in-law. 583 Such an obligation exists to-day, but informants like to maintain that in the past the Ngoni never troubled themselves with agriculture, but lived entirely on 241 beer, meat, and raided crops. But we know from contemporary writers that they did have gardens, although they may perhaps have been cultivated only by recent captives and by women.

An important obligation on the man was to avoid his wife's mother. He did not speak to her, went off into the bush if he met her on a path, and did not pass in front of her hut. With his father-in-law he was formal and reserved, but he did speak to him. These patterns were established at betrothal, and with the passage of years were gradually set aside. The final ceremony in which the man ate with his mother-in-law was the social recognition of his successful performance of the role of son-in-law and of husband to their daughter. Even after this ceremony he could not sit on the same mat as his mother-in-law. The position of the woman in respect to her parents-in-law was much easier, and she did not avoid them or their hut.

581 602 As a result of these formal and informal modes of interaction between the man's group and the woman's group, links of affinity were established which cut across the residential system, with its chains of authority and responsibility, superordination and subordination. The common interest of persons bound together by these links was the success of the marriage, and the well-being of the children. A quarrel between a man and his wife led to processes of discussion, deliberation and conciliation involving the two groups. The children of the marriage grew up knowing not only where they 858 belonged politically, but also where they were welcome as sister's sons and daughter's sons. Some children were sent to the father's mother to be reared, some to the mother's mother. The pregnancies of the woman were reported to her own relatives as well as to her husband's.

It is impossible to tell to what extent people consciously planned their marriages and the marriages of their children with the object of ramifying their affinal ties. But we do know that a wife who 554 had been brought from a long way off was regarded more highly than one who came from the same village as her husband, and that a woman who married her cross-cousin was, other things being equal, lower in status than her husband's unrelated other wives. These gradations in status suggest that the value of a marriage which established a link between a man and some hitherto unconnected

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[19] Wiese, op. cit. 'Expediçao . . .', p. 473, and 'Geschichte . . .', pp. 191-2.

segment of the residential system was recognized and institution- 581
alised. Furthermore, it is in line with this thesis that, in arranging 602
the marriage of recent captives, no great attention was paid to the 554
establishment of farflung affinal links. Frequently a man and a
woman who had been allocated to the same captor, and whom they
both addressed as 'father', married one another on his instructions.
Payments made in these marriages were small or non-existent.
Recent captives were too low in the hierarchical structure to be
concerned about reinforcing their position by horizontal ties. Their
ambitions were directed to securing promotion by becoming
lieutenants of their captors.

5. Autonomy of marriage

The pattern of segmentation of the residential system was 621
continually changing. In part this was due to proliferation 581
downwards, that is, by the process of increasing segmentation 591
between brothers and between fathers' sons. In addition to this
process political promotion and death in war altered the relative
position of the segments associated with particular people. Marriage
itself was a social process which, in so far as the relationship between
man and wife was concerned, did not react directly on the residential [611]
system. This system was based on patrilineal descent and patrilocal [591]
residence and the movements of women, except at the level of the
queens, were from one point of view irrelevant to the system. It
was the grouping of children round their mother, in contrast to
their father's children by other wives, which related the marriages
of one generation to the patterns of segmentation of the next. A
woman with no children in her house, whether her status was high [554]
or low, was structurally irrelevant to the residential system.

Marriage was also largely independent of the central government.
Warfare, not domesticity, was the right and proper occupation of [721]
young men, and the age at which men married for the first time was
probably about thirty. Informants all stressed that in the old days 582
first marriage took place at later ages for both men and women
than it does now. Wiese implies that girls were married any time
after puberty,[29] but my informants stated that girls did not usually [114]
marry until they were aged about twenty to twenty-five. Men
and women were organized into parallel age-sets, usually referred to [561]
as regiments, and corresponding regiments used to dance and frolic
together. Sometimes a man took a wife from the regiment corres-
ponding to his own, but there does not seem to have been any positive
obligation to do so. Particular regiments were not prevented from
marrying, as among the Zulu, and all the tales of the Paramount
Chief intervening in the affairs of warriors are phrased in terms of [643]
the chief instructing a laggard to find himself a wife when all his
age mates had already married. The chief did however interfere

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[29] Wiese, op. cit. 'Expedição . . .', p. 473, and 'Geschichte . . .', p. 191.

The chief did however interfere

643 to some extent in the marriages of those near him and on occasion took away a wife from one man and gave her as wife to another. Nsingu, the heir of Mpezeni I, once took a wife from one of the important men in his mother's royal village and made her his queen. [568] The man committed suicide and Nsingu killed a beast to placate the anger of his mother's lieutenants. Such instances of intervention seem to have been rare and were disliked by the common people.

6. *Polygyny*

592 The pattern of growth of the residential system was determined by the grouping of children in the compound family. This grouping was in turn determined by the ranking of wives. It seems that the 595 South-Eastern Bantu system of dividing wives into three groups, [171] a great house and a left- and a right-hand house was not continued. Old men are agreed that in the past wives could be described as either left-hand or right-hand, but there is no agreement on the principles of this division. In discussing the wives of well-known men who flourished about this period, there was no consensus about which women were left-hand wives and which were right. The division cannot in any case have had the same spatial reference to the husband's cattle byre as among the South-Eastern Bantu, [361] since the Ngoni lived in large villages with a central byre containing all the cattle of the village.

Wives were arranged into small groups which we may term 595 'bands'. A band might contain up to a dozen co-wives and was 592 under the charge of its senior member. Wives in a band lived close to each other in the same cluster of huts. A man might have as many as five or six bands of wives, and the senior wife of one of the bands was the man's great wife, the mother of his heir. We have seen that a cross-cousin was inferior to an unrelated wife, and a wife from the same or related village inferior to one from afar. These two considerations, however, seem only to have influenced a man's choice of senior wives and did not themselves directly determine wifely rank. Thus a man could if he wished make a cross-cousin from his own village his great wife or the senior wife of one of his bands, but most men did not do so. The first wife married with bridewealth was the great wife. If there was a wife married earlier for whom no bridewealth had been paid, perhaps a cross-cousin or a recently captured woman, then she became subordinate to the chief wife and was regarded as a member of her band. Wives married subsequently were attached to this band until the husband decided to start another band. He took either one of the wives of his great wife's band or else a newly acquired wife, and established a new cluster of huts for her. Some other members of the great wife's band might be transferred to the new band, as subordinates of the newly promoted wife. As the man continued to take new wives they were allocated to one or other of the existing bands. If the husband was an important man he allocated to each

band one or more of his lieutenants and other dependent families. 595
Thus the band of wives formed the core round which the sub-segments 592
of the husband's residential segment were built up. Each band was
associated with a distinct cluster of huts, although not every cluster
of huts had a band of wives living in it. The division of wives into
bands was only one of the processes by which the segmentation of
clusters was carried on.

Each linked co-wife lived in the band of her barren senior although occasionally a linked co-wife was promoted and made head of her own band. The children of a linked co-wife were spoken of as being born in the house of her senior, but here the word 'house' (*ng'anda*) was used only in a figurative sense.[22] Where it was necessary to contrast the children of the wives of one band with the children of another, they were called the children of the head of the band. Less frequently all a man's children by his several wives were referred to as the children of the house of his great wife.

It seems that more trouble was taken to obtain a linked co-wife
for a barren great wife or head of a band than for a junior wife.
A great wife needed children to ratify her position in the hierarchy [858]
of co-wives, and to establish a line of descendents senior to the lines [569]
springing from her subordinates. Barrenness was the principal
reason for seeking a linked co-wife but it is said that if a man had
pleased his wife's father, a linked co-wife might be given
spontaneously by his father-in-law as a mark of his esteem. When
a wife grew old and needed domestic help a linked co-wife was
sometimes given to her although she might have borne many children.
A man was under an obligation to offer one beast[23] to his wife's [583]
father when he received a linked co-wife.

The children of a linked co-wife ranked immediately after the
children by her senior, if there were any. They inherited the property [858]
allocated to her hut and belonged to the segment founded by her.

7. *The levirate*

The custom of linking co-wives was sometimes a kind of sororal 581
polygyny and sometimes a variety of sororate. We may see it as 182
a device for establishing and maintaining the residential segment
potentially founded by the senior co-wife when she married her 587
husband. Similarly we may look on the levirate as a way of ensuring
that the fertility of the woman still remained attached to that same
segment even after the death of her husband. A widow lived in
leviratic marriage with her husband's younger brother who became

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[22] Compare the similar use of the word 'house' among the Zulu and 'room' among the Tallensi. Cf. Hoernlé, 'Social organisation' in *The Bantu-speaking Tribes of South Africa*, p. 78, and Fortes, *The Dynamics of Clanship among the Tallensi*, pp. 106 sqq.

[23] Called variously *msoko* or *mtoso*. *Msoko* is an Nsenga word meaning a small [192]
cloth worn round the waist by women. The allusion is to the labour pains felt [291]
by the mother of the new bride which were eased by binding her waist with a
cloth. *Mtoso* has the same meaning in the old Ngoni language.

587 her pro-husband. If there was no younger brother the pro-husband was one of her husband's junior patrilineal kinsmen of his own generation. She could not refuse a pro-husband although her husband's brothers could choose not to provide her with a pro-husband if they so wished. The widow continued to live in her [591] own cluster where her pro-husband came to visit her. Rattray states that widows waited one year after their husband's death before their re-marriage was settled[illegible] and this is nowadays the traditional procedure. Wiese, however, writes that widows waited four years before they could marry again.[illegible] The children begotten 851 by the pro-husband were regarded as children of the dead man for social purposes but the identity of their genitor was not disguised. They called him *father*, but this was as much because he was their 601 dead pater's brother and their mother's pro-husband as because he was their genitor.

The same principle of substitution was applied to betrothal. If a 584 man died before marrying a girl to whom he was betrothed, the 851 betrothal passed to a younger brother or a classificatory brother. If a girl died before marrying the man to whom she was betrothed, the betrothal passed to a younger sister. Unlike the operation of the levirate, however, the children of this type of marriage were regarded as the children of their genitor and genetrix for all purposes, as though their parents had been betrothed to each other in the first place. Again, unlike the levirate, if a man considered himself too old when his betrothed became marriageable he might give her instead to his son as a wife. The children of this marriage were also regarded for all purposes as the children of their genitor and genetrix.

587 Occasionally a woman whose husband died young, went to live with a man who was not her dead husband's brother, real or classificatory. The pro-husband gave a goat to the woman, but if bride-wealth had been offered for her by her first husband, the pro-husband could never gain permanent custody of the children. The children [851] that she bore by him belonged to the segment of the dead man, took his descent name, and when old enough went to live in his segment. When the dead man's kinsmen claimed these children, they gave a beast to their genitor 'to straighten his back', that is, for his labour in begetting them. This arrangement is in some ways analogous [171] to Nuer widow-concubinage[illegible] but with the important difference that the pro-husband, although not a kinsman of the dead man, had rights in the widow as a wife and an exclusive right to her sexual services. It seems that the status of a widow living in this kind of union was not low. In one instance I heard of, very aristocratic families were involved, and the arrangement appears to have been

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[illegible] Rattray, op. cit., p. 97.

[illegible] Wiese, op. cit. 'Expedição . . .', p. 474, and 'Geschichte . . .', p. 182.

[illegible] Cf. Evans-Pritchard, *Some Aspects of Marriage and Family Among the Nuer* (Rhodes-Livingstone Papers, No. Eleven), p. 16.

made with the approval of the dead man's kin. Although by this 589 arrangement the woman was for a while removed from her allotted place in the system, the *status quo ante* was restored with the return [851] of the children to their pater's kinsmen.

8. Segmentation

The primary cleavage among a man's children was between the 595 children of one band and the children of another. Within a band, 592 the division was into separate 'houses'. Where there were children of more than one mother in the same 'house', that is where the senior wife as well as the linked wife had borne children or where there was more than one fertile linked co-wife with the same senior, the division was between the groups of full siblings. These lines of cleavage were expressed spatially by the arrangements of the huts belonging to each segment. At the top of the political hierarchy, the arrangement 644 of the Paramount Chief's queens determined the major divisions 631 into which the nation was split residentially, with a senior queen in charge of each major royal village, and lesser queens in charge of politically dependent royal villages. At the bottom, the man with 593 two or three wives saw his sons group themselves round their mothers while retaining a common allegiance to him.

Thus we see that in 'the time of peace' marriage was tied to a 182 clear-cut residential system based on patrilineal descent and virilocal residence, modified by political status deriving ultimately from the Paramount Chief. The position of males in this system was 592 determinate, although not unalterable. By the processes of marriage males were supplied with legitimate offspring. Although descent and succession were traced through males, the pattern of segmentation of this patrilineal system was determined by the organisation of wives. The relative status of co-wives was perpetuated in the relationship between the segments which sprang from them.

In this system the elementary family of man, wife, and children 594 *did not emerge as an important grouping.* In all serious enterprises a person derived support from his male agnates, and it was to the 613 organised kin that the fertility of the woman was transferred by the payment of bridewealth. By the time a man had advanced in status sufficiently to be head of a division or a village, he had acquired 554 many dependants who were not true kinsmen and his wives had been divided into bands. With the recently captured families, these considerations did not apply with quite the same force, for there were many poor men who had only one wife. These people depended on their political superior for cattle, and the women were to some extent under the control of his great wife, in so far as agricultural work and beer brewing were concerned. Even the rearing of children 955 once they had been weaned was carried on outside the elementary family. Children were sent to their grandmother's house to be [illegible] trained and indoctrinated with Ngoni values. The recent captives [illegible]

The recent captives

855 593 sent their children to one of the senior wives of their captor. Husband, wife, and unweaned child slept together in the same hut, but their waking lives were spent in association with other and different groups of people.

631 554 591 In view of what has happened in modern times, we must draw attention to two features of the residential system which were not, at that time, directly related to the processes of marriage. A man lived where he belonged politically, and the residential system was an integral part of the political organization of the state. A man's place in it was determined by birth, and could not be altered except by the intervention of his political superiors. He could not change his political affiliation merely by going to live in another village or division or cluster, while if he received political promotion, or if his segment was punished by the State, the change of status was sometimes accompanied by change of residence. Secondly, choice within the system was expressed by hiving-off, not by moving about. The variable factor within any segment was the extent to which the potential cleavages within it were made actual cleavages. A man decided whether he would continue to live in the same cluster or division as his elder brother and depend on the common herd, or whether he would establish his own cluster with its own herd and own spatial identity. He did not have to decide whether he would continue to attach himself to one lieutenant or royal headquarters or whether he would transfer his allegiance to another. In this he had no choice. Choice lay in the extent of segmentation, not in the location of allegiance. We shall see that changes in these features [978] in the residential system have in recent times been related to changes in marriage.

581 613 Marriage in 'the time of peace' was essentially a means by which agnatic segments, unable by the fact of exogamy to produce their own children, were provided with child-bearers from outside the segment. A woman was associated as a child-bearer with a definite point in her husband's agnatic segment, and this association was permanent. The biological determinants of child-rearing strengthened the permanence of the association. To bear a child for her husband's agnatic segment, in any system of this general type, a woman must be associated with it for three years or more, from conception to weaning; and as one child is weaned, the next is on the way. One man can beget children for his agnatic line by many wives at the same time, but a woman can produce for only one husband at a time. Thus while it is possible to maintain stable exogamous matrilineal groupings without fixing permanently the [illegible] reproductive powers of men, agnatic exogamous groupings, if they are to persist in time, must be supplied with permanent sources of fertility from outside. The old Ngoni marriage systems did this. [978] We shall see that nowadays both the permanent transfer of fertility and the persisting agnatic groupings have disappeared.

[p.19]

CHAPTER II

PROCESSES OF CHANGE

1. *White conquest*

THE SOCIAL system which we have so far described flourished in 648
an environment in which the Ngoni people were separated
from other tribes by a no-man's-land. Ngoni raiding parties [124]
crossed this tract and returned with captives, food and some cattle.
The only other contacts with the outside world were with Arab
slave-traders and their agents who exchanged slaves and ivory [439]
for cloth and guns, and with a few white and half-caste traders
and explorers. In 1898 the Ngoni army was defeated by a force 648
under British leadership and many villages were burnt down. Very
many of the cattle were looted and the people dispersed. A White 177
township was built in the middle of the Ngoni kingdom, the warriors
were disarmed, and an administrative system was established
involving both Whites and Ngoni. Missionaries arrived, schools [
were opened, labour recruiters and later tobacco planters began their 177]
activities.

We are not concerned here with the total effect of this sequence [12]
of events but only with the results it has had on marriage. We
can distinguish a number of fields in which processes initially external
to the indigenous society began to impinge on it and to become [177]
part of it. The establishment of White control brought to an end
the Ngoni wars. The building up of the Cewa chieftainships
contiguous to Ngoni country affected the whole scheme of values held
by Ngoni people at the same time as those values were being altered
by the intrusion of White technology, political offices, legal concepts,
and religions. The physical dispersion of the people in the face of
the British troops was followed by a greater dispersion of men, and
later of women and children as well, over the mining centres of
Southern Rhodesia and the Copperbelt. [177]

The large villages which formed the core of the residential system [361]
were burnt, and their inhabitants never all came together again.
At first people lived in small settlements of three or four grass shacks
built in the hills or in the bush. Gradually the people gathered
together in distinct villages, but their population was different in
structure from that of the former villages. The groupings of people
which stayed together after 1898 represented the smallest fragments [621]
of the residential system, and these small fragments collected together
into larger associations which were related to, but by no means
coincident with, the larger segments of the old system. Some [870]
segments left the area and rejoined the tribes from whence they

N 178 came. Others followed maternal links or were attracted to the
591 district messengers, the newly-created political agents of the White
N Administration. About 1912 the Administration adopted a policy
of decreasing the number of distinct villages and effected amalga-
648 mations between villages which had nothing at all in common
except spatial proximity. Later still, from about 1920 onwards,
N new immigrants began to enter the area from the surrounding Cewa
661 tribe in the face of alienation of land to Whites.

N These villages became the basic local administrative units. Men
178 were identified in terms of their tribe, their chief, and their village.
To this extent the new village inherited the political functions of
621 the old. But men, instead of being fixed in their allegiance, moved
641 from village to village seeking good land for their gardens and freedom
from quarrels. The proliferation of villages was to some extent
controlled by the Administration, so that if a man quarrelled with
his elder brother he could no longer easily set up a village of his own.
Instead he sought refuge with his maternal or affinal kin, registered
himself in their village, and became for some purposes at least
subordinate to the headman of that village. A man's political
position was determined by where he had decided to live, whereas
N under the old system he had had to live where he belonged politically.
The whole nature of affinal and maternal ties shifted so that in some
600 instances they became more important than the ties of paternal
kinship.

N *2. Rival tribes*

648 The values of Ngoni life were in the old days held in conscious
178 opposition to those of the tribes with whom they fought. All
591 the later captives came from matrilineal uxorilocal tribes, who made
only token transfers at marriage, and who married at an earlier age
than did the military Ngoni. They did not take so severe a view of
adultery, and for girls copulation at puberty was obligatory. Captives
who had been brought up in this tradition were in the old days
forcibly required to adopt the Ngoni way of life, and indeed it seems
likely that to some extent they did so willingly as part of the process
N by which they transferred themselves in allegiance from one group
602 to the other. After 1898 the central government of the Ngoni lost
much of its power and it was no longer able to enforce conformity to
Ngoni standards. Ngoni marriage payments had been made in
N cattle, and the looting of cattle made it more difficult to maintain
these payments. The example provided by the adjacent Cewa
169 chiefdoms reinforced the tendency to depart from the modes of
591 behaviour of the past. Furthermore, groups of Cewa entered Ngoni
country after 1898, as we have already noted, and these people had
N never been indoctrinated with Ngoni beliefs and values. In addition,
many individuals followed their captured relatives and joined them
601 where they were living in Ngoni country. To-day some villages,
although under Ngoni chiefs, have matrilineal succession, dance

N M

Cewa dances, speak Cewa, and are to a lesser extent internally organized on Cewa lines. They do not form a distinct class of village in Ngoni country, and are inextricably bound by ties of kinship with their neighbours. But there are fewer traces of the former pre-1898 system of organization in such villages than in those which have a remembered history linking them with the glorious past.[1] 167 177 621 N M [184]

3. *Christianity*

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At the same time as Ngoni values were being undermined from within by the Cewa, they were attacked from without by the Whites. The first missionaries to settle in the area arrived in 1899, although there had been some earlier contact. They attempted to convert Ngoni to Christianity, and therefore to monogamy and pre-marital chastity. In chastity the missionaries were allied with the Ngoni against the Cewa; in monogamy the missions fought against Ngoni allied to Cewa. New rituals were introduced and a new hierarchy developed, composed of priests, evangelists and deacons. However, in this region, unlike much of the rest of Africa, the impact of Christianity has not produced a distinctive legal status of persons married by Christian rite. The Administration's earliest piece of marriage legislation was the *North-Eastern Rhodesia Marriage Regulations*, 1903.[2] There was specific provision for monogamous marriages between Africans, with penalties for bigamy and detailed rules for the division of property left by Africans married under these regulations and dying intestate. Few, if any, marriages involving Africans were made in this form, for it seems that the missions did not license themselves under the Regulations and their ceremonies therefore did not have legal significance to the Administration. These elaborate provisions were repealed by the *Northern Rhodesia Marriage Proclamation*, 1918.[3] Since then the only form of marriage performed within Northern Rhodesia between Africans that has legal significance in the eyes of the Administration is marriage 'in accordance with native law and custom'. What constitutes such a marriage has never been rigidly defined. 648 797 581

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The missions themselves have differed in their attitude towards indigenous marriage. One mission insists that all 'customary obligations' must be fulfilled in addition to Christian rites, another holds that it is wrong to transfer wealth from one side to another in marriage, while a third holds that the fulfilment or not of any customary obligations is not the concern of the church. The Native cfd 797 581

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[1] Cf. Read, 'Tradition and prestige' and 'Moral code' for an account of some of these changes in structure and values, based on observations of three Ngoni kingdoms.

[2] Government Notice No. 2 of 1903, *British Central Africa Gazette*, 148, x, 1, 31 January 1903.

[3] N.R. No. 18 of 1918, *Northern Rhodesia Government Gazette*, viii, 11, 7 September 1918.

The Native

790 courts themselves have been influenced by the introduction of
694 Christian rites, and in matters of divorce have been subject to
[586] pressure from the missions.

4. The punishment of adultery

The Administration prevented Ngoni from killing adulterers.
648 Instead they changed adultery into a private delict, without speci-
684 fying what damages could be awarded. Indeed the whole position
of indigenous tribunals was equivocal until 1929, when the Native
692 Courts Ordinance was passed. Until then no specific courts were recognized other than those presided over by White officers of the Administration. At the same time the Administration expected chiefs and others to maintain law and order and formally listed their duties in these terms. The chiefs had therefore to extemporize and administer traditional law as best they could. Since 1929 Native Courts have been recognized and the Administration has in the main supported the decisions reached in these courts. The law as administered now is certainly not the same as it was before 1898 and the differences are not merely the substitution of 'civilized' penalties for those 'repugnant to natural justice and morality'. Nor is the law identical with English or Roman-Dutch law. The law of adultery and divorce is adapted to a situation in which bridewealth is rarely paid, wives are left deserted for years by their
[593] husbands, and the custody of children is uncertain and dependent on the agreement of the children themselves.

5. Labour migration

167 Labour migration began in 1898 and since then there has been
593 a continual flow of men and women seeking work in the mining
464 towns of Southern Rhodesia and on the railway line of Northern Rhodesia. The constant absence of men away at work leaving their wives behind has made for a preponderance of women over men in the rural area and has led to more adultery and to the emergence of pleas for divorce on ground of desertion. The increasing number of wives who accompany or follow their husbands had enlarged the social field within which the marriage relationship operates so that a quarrel between a man and his wife in town may be referred for resolution to kinsmen many hundreds of miles away in the village. Men marry fresh wives in the towns and bring them home years later with many children. Two people living in villages may trace their relationship to each other through some half-forgotten migrant in the towns.

581 In 'the time of peace' marriage was a process by which an
591 established social structure was maintained and developed. That structure has gone and Ngoni now live in a world of larger scale and greater social mobility. Marriage has become something by which local stability of relationship is maintained despite the fluidity of society as a whole. A man moves from village to village, from

one mining town to the next, sleeps for a night with a prostitute and 581
lives for years with a concubine. What is at least relatively 571
permanent is his relationship to his wife and to his children by her.
Men still hope that they will be able to gather their children about [593]
them as they grow old, and build up new villages so that their names
will be remembered. Status is still measured in terms of dependants, [554]
and the most certain of all dependants are legitimate children.
Ngoni marriage no longer automatically ensures that a man will
have custody of his children, but without marriage he has no hope
at all of retaining them.

CHAPTER III

HUSBANDS AND WIVES

1. The field of modern marriage

581 MARRIAGE nowadays among the Ngoni still regulates the sexual
activities of man and wife and determines the responsibility
for the care of their young children, the inheritance of their
property, and succession to office. To a lesser extent it still
determines residence and establishes relationships between a partner
to the marriage and his or her affines. It is an institution which
involves sooner or later almost every Ngoni man or woman who
survives into adulthood. The number of people who die adult and
[826] unmarried is very small. Even albinos, who are regarded generally
with disgust, usually succeed in marrying. The only people who
589 fail to marry at all are: seriously crippled people who are regarded
as not strong enough to look after themselves; a few prostitutes who
[548] acquire a reputation for wantonness before they have managed to
find a husband and who live in a succession of temporary alliances
with men in and around the township of Fort Jameson; and a
category of persons known as 'quite useless people',[1] that is, people
[828] who are mad or in some way deranged so that they are unable to
settle down in any place and are always wandering about from village
to village, begging shelter, beer and food.

A man who does not marry, or who remains divorced or widowed
for many years, is regarded as unusual, and others say of him that
he must smell like a he-goat so that no woman will have him. A
man in his twenties without a wife is laughed at by the married
women, who despise him as impotent. Very few men in fact stay
long without a wife, and of people whose personalities are regarded
as normal it is only a few old widowers who do not have a wife to
cook for them and sleep with them. Some women stay for longer
without a husband, partly because of the numerical preponderance
[162] of women over men caused by labour migration.

Some idea of the extent to which marriage affects everyone sooner
128 or later is given by Tables III and IV. These tables, like all the
others in this paper, are based on information collected systematically
121 from six Ngoni villages. Two of these villages, containing 257 and
142 residents, situated twenty-five miles apart and in different
counties, were selected for me to live in by the county chiefs concerned.
[621] The remaining four villages containing 143, 104, 55 and 45
residents, were close together but in a third county and twenty miles
away from the other two.

[1] *Cisilu*, pl. *visilu*, or else *ŵantu ŵatyakatyaka*. Cf. Nsenga *cilu*, pl. *masilu*, idiot.

away from the other two. They were the four most accessible 121 from my base camp, built at a site chosen by the Administration. I was able to compare their size, history, and kinship structure with those of many other villages I visited, and as far as I could tell they were in these respects fairly typical Ngoni villages. They form a 128 sample of approximately one per cent of the whole of the Fort Jameson Ngoni.

The tables in which the units are individuals or extant marriages (III, IV, IX, X, XIII and XIV) are based on the marital histories of the men and woman normally resident in those villages during the latter part of 1948, in one village, and during the earlier part of 1949 in the other five. In Tables I, II, V to VIII, XI and XII, where the units are marriages and not individuals, I have drawn on the histories of men and women who lived in these villages as wedded people for at least part of the time from 1946 to 1949. I endeavoured to interview the whole population but failed to do so for various reasons. [124] I was however, able to determine who was, and who was not, a resident in these villages, and can therefore indicate the number of people who could have been included in this six-village sample had more been known about them. Some of my interviews were only partial.

In Tables V to VIII, which deal with the incidence and magnitude of marriage payments, each marriage is classified by the decade in which it began. This is not necessarily the decade in which the payment was made, for as we have noted payments are sometime made after many years of marriage. Unfortunately I do not have enough information to classify by the decade of payment.

In the tables I have used the word 'wedded' to refer to all people who had ever been married, whether or not they were currently married at the time of inquiry.

It will be seen from Table III that in this sample there was no 162 unwedded man over the age of twenty-four, and, out of a total of 589 116 wedded men, there were only one widower and seven men whose last marriage had ended in divorce and who had not remarried. From Table IV we see that there was only one unwedded woman over the age of nineteen, but that there were as many as 31 widows who had not remarried. Only about a half, 122 out of 223, of the wedded women were living with their husbands.

Marriage is then an experience that sooner or later comes to nearly 581 every man or woman, although not every adult lives all the time in a simple family of procreation. Nevertheless, the ties forged by marriage remain, and the results of marriage extend beyond the wedding ceremony and beyond the domestic association of man and wife. It is the sexual activities of individuals that are most closely regulated by the fact of marriage. In succession to office and wealth, marriage, as we shall see, plays nowadays a permissive rather than a determining role. It is only by means of the symbolic acts which form part of marriage that a man can be reasonably sure of acquiring rights over his wife and the custody of his children. Yet he may, 581 on the one hand, acquire that custody without undertaking any of these symbolic acts, and on the other hand he may have full rights over his wife without ever getting control of his children.

2. Choice

582 Marriage involves choice and selection. There are prescribed 'preferential marriages' in the usual terminology, but as applied to the Ngoni this nomenclature is misleading, for, as in the old days, a woman who marries her cross-cousin does not have such high status in her husband's compound family as a wife who is not related to her husband. A man behaves in some respects towards his female cross-cousins as though they were his wives or potential wives, but it is incorrect to say that Ngoni men prefer to marry their cross-

Table III. Marital status of males by age, 1948-9

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Age in years	Marital Status								Total
	Unwedded	Wedded							
		Number of wives						Total wedded men	
		0		1	2	3	Not known		
		Divorced men	Widowers						
0-4	51	–	–	–	–	–	–	–	51
5-9	61	–	–	–	–	–	–	–	61
10-14	55	–	–	–	–	–	–	–	55
15-19	28	1	–	2	–	–	–	3	31
20-24	14	–	–	6	–	–	–	6	20
25-29	–	2	–	13	–	–	1	16	16
30-34	–	1	–	7	–	–	–	8	8
35-39	–	–	–	13	3	1	–	17	17
40-44	–	–	–	4	2	2	–	8	8
45-49	–	–	–	8	–	–	1	9	9
50-54	–	1	–	4	–	–	1	6	6
55-59	–	–	–	8	1	–	1	10	10
60-64	–	–	–	9	2	–	–	11	11
65-69	–	1	1	6	1	1	–	10	10
70-74	–	1	–	1	1	–	–	3	3
75-79	–	–	–	1	1	–	–	2	2
Not known	–	–	–	1	–	–	6	7	7
Total	209	7	1	83	11	4	10	116	325

cousins. Whether a man decides to marry a cross-cousin or an 582
unrelated woman, he still has to decide just exactly whom he will
try to marry, and similarly a woman has also to make up her own
mind about whom she will accept as husband. The initiative in 584
choosing lies very largely with the couple themselves, and not with
their parents and kinsmen. If a man is diffident about asking a
woman to marry him, he may ask his father or elder brother to seek
out a woman for him, or a woman may have a spouse presented to

Table IV. Marital status of females, by age, 1948-9

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Age in years	Marital status								Total
	Unwedded	Wedded							
		Divorced women living alone	Widows living alone	Divorced woman living as concubine	Married women			Total wedded women	
					HH	HA	HS		
0–4	58	–	–	–	–	–	–	–	58
5–9	65	–	–	–	–	–	–	–	65
10–14	54	–	–	–	–	–	–	–	54
15–19	20	–	1	–	14	9	1	25	45
20–24	–	3	–	–	10	11	–	24	24
25–29	–	1	–	1	17	8	1	29	29
30–34	1	–	–	–	14	8	–	22	23
35–39	–	–	–	–	19	3	1	23	23
40–44	–	2	1	–	13	1	1	18	18
45–49	–	–	2	–	13	2	–	17	17
50–54	–	3	–	–	7	3	1	14	14
55–59	–	1	5	–	6	–	1	13	13
60–64	–	1	8	–	3	1	1	15	15
65–69	–	2	8	–	1	–	–	11	11
70–74	–	–	5	–	1	–	–	6	6
75–79	–	1	–	–	–	–	–	1	1
80–84	–	–	1	–	–	–	–	1	1
Not known	–	–	–	–	4	–	–	4	4
Total	198	14	31	1	122	46	7	223	421

Legend

HH (Husband at Home)	Husband living within thirty miles of his wife, in a village, and not separated from her
HA (Husband Away)	Husband living permanently on a farm, or in Fort Jameson, or more than thirty miles away
HS (Husband Separated)	Husband living within thirty miles, in a village, but separated from his wife

Maravi FR4
Wisa FQ5

N
584 her by her parents, but the general rule is that people seek their
own partners. Certain rules have to be considered by whoever is
N trying to arrange the match. These determine which marriages
582 are regarded as incestuous, and which marriages are preferred. The
kinship relationship, age, ethnic group, and religion of the partner
all have to be considered. With the passing of the regimental system,
considerations of State no longer affect choice of marriage partner,
except for near relatives of the chiefs.

A man may not marry anyone whom he addresses with a kinship
N term belonging to the first ascending or the first descending
[601] generation. This prohibits marriage between ego and his *mothers*,
fathers, *mothers*, *brothers*, *affines*, and *children*.[3] In his own generation
he cannot marry his *child's parents-in-law* and he cannot marry
N any *sibling* who is not a *cross-cousin*. In the second ascending and
603 descending generation a man may address his female *grandparent*
and his female *grandchild* as *wife*, and he can, to a slight extent, joke
602 and refer in general terms to sexual activities in their presence.
N But Ngoni regard it as a typical Cewa custom for a man actually to
[582] marry his female *grandchild*, and do not approve of such marriages
[186] among their own people. A man may fondle the breasts of his
grandmother and suggest in the company of others at a beer drink
that his granddaughter should marry him, but that is as far as this
N joking goes.

605 A man is entitled, and to some extent expected, to flirt with his
female *cross-cousins*. We have noted above that the Nguni peoples
W from whom the leaders of the Ngoni kingdom were drawn did not
M allow cross-cousin marriage. By contrast the Cewa and Ŵisa
582 peoples, who were captured in large numbers from about 1870 on,
came from societies in which local organization was based on bilateral
intra-village cross-cousin marriage. In villages where there are
now many people claiming Cewa and Ŵisa descent there are many
instances of cross-cousin marriage. This form of marriage is by no
means confined to people of low ethnic status, and even the
Paramount Chief has married classificatory cross-cousins. In the
aristocratic families it is sometimes suggested that an important
man might marry a cross-cousin while still young and unable to
muster a large marriage payment and then later marry an unrelated
woman as his great wife. No distinction is made between marriage
N with father's sister's daughter and with mother's brother's daughter.
582 The somewhat equivocal attitude towards cross-cousin marriage
is seen in the conflicting statements of informants about payments
583 in cross-cousin marriages. Some say that no payments ought to
be made, for are they not all one family (*banja*). If payments were
made it would mean that the family had split. Others say that
payments can and ought to be made and that provided the cross-

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[3] For the definition of these terms, see Barnes, op. cit. pp. 222 ff

cousin comes from another village she can become the great wife. N 582
This lack of consensus about the appropriateness of payments may 583
be due to the difference between the traditional views of the Nguni
aristocrats and of their more recent captives. The Nguni tribes,
although not allowing cross-cousin marriage, did require transfers
of marriage cattle. In contrast to them, the Cewa and others who M
approved of cross-cousin marriages did not make large marriage [583]
payments. It may be that neither view has prevailed over the
other among the present-day Ngoni.

When I began my inquiries into marriage I hoped to express N 128
numerically the frequencies with which people married their cross-
cousins and other relatives. As my inquiries proceeded, it became
clear that this was not the simple matter I had thought it to be. N
There was little consistency in the way in which the word *mvyala*, 601
which I have translated as cross-cousin, was used by different
informants. Sometimes one spouse would say that the other was a
cross-cousin and the other would deny it. In addition to the
expected use of the term to refer to father's own or classificatory
sister's child, and to mother's own or classificatory brother's child,
it was also used for 'person with a parent with the same descent-name
as mine', 'person from the same tribe', 'person with the same captor',
and so on. Some informants regarded the alleged cross-cousin
relationship as a primary one that could not necessarily be broken
down into a series of links between parents and children and between
siblings. If pressed, informants would often say in explanation
'One of us came from the side of the man and the other from the side
of the woman'; yet they would be unable to decide who came from
the man's side and who from the woman's. This complexity of
reference of the term for cross-cousin applies to a lesser extent to N
the terms for other relatives with whom marriage takes place. In 128
view of the lack of consensus and of the large number of possible
referents of single vernacular terms, I have thought it best to
postpone publication of any frequencies until later, when I hope
to deal with the general problem of inter-connectedness between
local groups of kin.

We have mentioned above the prohibitions against marrying N 582
certain relatives and the partial encouragement to marry a cross-
cousin. In addition, a man should not marry his brother's wife's
sister, and some people say that a man ought not to marry his sister's N
husband's sister. Both these women he calls *sibling-in-law*. These [601]
are not exactly definite prohibitions, but rather pieces of traditional
advice. Marriage with these relatives does occur. No specific
reason was given for this prohibition, but I noticed that a quarrel
in one marriage tended to have repercussions in the marriages of
the spouses' siblings, and the objection to these types of marriage may
be based on some consideration of this kind.

N
581
583 *Case history 1*

Amos[2] was married to Eve and wished to offer bridewealth for her. Amos's father prevented him, saying that the marriage of Amos's sister with Eve's father's son had not yet proved a success and and he did not want at this stage to bind himself any further to Eve's kinsfolk.

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[582]
[601] There are no exogamous clans among the Ngoni but sometimes an agnatic lineage has a distinctive descent-name, giving it the appearance of an exogamous clan. Kinship terms are used within the lineage and members may not marry one another. As, however, descent is not usually traced, either actually or putatively, beyond the grandparents of adults these exogamous groupings are small and do not persist in time.

N
563 Tribal preferences are not marked. In the past the Ngoni were prepared to capture and incorporate into their society anyone who came in their path. At the same time there was an association of South-Eastern Bantu origin with high rank, although this was never developed into a rigid system of ethnic ranking.

N
[361] Nowadays Ngoni live in the midst of people from other tribes, in the adjacent reserves, on the tobacco farms, in Fort Jameson township and at the urban centres.

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[581]
[428] A man may sometimes be ridiculed if he marries a Cewa girl but many men do so, particularly if they live in Cewa-speaking villages under Ngoni chiefs. Wealthy Cewa men from Cewa chiefdoms who wish to bequeath their property to their sons sometimes marry Ngoni women and offer bridewealth for them, hoping thereby to prevent their sister's sons disputing the inheritance. There are many men on farms and in the township coming from distant areas whose tribe may be uncertain or unknown but who manage to marry Ngoni girls.

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581 The only strong antagonism is against the Nyasaland Yao. Yao find it difficult to marry into aristocratic Ngoni families and even when they do their rights are never certain. The Yao are regarded by the Ngoni as clever sorcerers and are thought to have an excess of sexual vigour.

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628
582 A few women become the concubines of European or Indian men. Such unions lack much of the substance of marriage, although the man sometimes makes a present to the woman's relatives which is interpreted as a marriage payment. These men are not usually concerned with establishing the validity of the marriage, if marriage it is. They cannot take action against their wives in the Native Courts, nor can they hope for redress in the Administration's courts. Although the Administration assists women to secure maintenance of the children, it does not recognise these unions as legal marriages. In vernacular speech they are referred to as marriages and, despite the protestations in recent years of more sophisticated Africans, these women are not despised in the rural areas. A woman who

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[2] All personal names in this paper are fictitious. I have used Biblical names as these are common among the Ngoni. Where an individual is mentioned in more than one case history I have retained the same fictitious name throughout.

4: Barnes E-5 (1946-1949) 1951 FR5 Ngoni FR5
Mpezeni

lives for some years with a European may leave him and enter into a 595
proper marriage. The favourite wife of a chief who died a few years 648
ago had earlier been the mistress of a European. 582

Christians must abide by the rules of their church or risk ecclesiastical censure. A baptized Catholic man may marry only a Catholic 799
girl or he will be suspended from receiving the sacraments. A
Catholic woman must either marry a baptized Catholic or obtain 582
dispensation to marry a catechumen. A catechumen of either sex can marry another catechumen or a pagan. In addition Catholics cannot marry if the marriage would infringe canon law. Catholic cross-cousins, therefore, can marry only by concealing their relationship from the priest. In the Dutch Reformed Church a baptized person, or a member of a class of instruction, cannot marry a pagan or a Catholic without being suspended. Other missions have similar rules.

Locality is of some importance in influencing a man's choice. The 621
bigger the village he lives in the more likely he is to take a wife from 582
within it, but the belief still persists that it is better to find a wife from outside one's own village if possible. In a polygynous household a wife married from her husband's own village still does not rank
as high as one who has been brought in from outside, of whom it is [554]
said 'her husband had to walk to get her'. The mechanisms by
which people living in different villages are brought into contact 628
are numerous,[4] but for finding a spouse the two most important are 584
inter-village dance contests and visits to relatives. Teams of young 535
people, usually all girls and young women, go from their own village to others in the vicinity to dance against the home teams. Young men stand around watching them and discuss among themselves the erotic possibilities of individual dances. As darkness falls the dancers start back home, escorted by the young men who flirt with them on the way. At the weekends there are many young men back in the villages from their employment on the farms or in Fort Jameson and they sometimes gather into gangs of half a dozen or so, wandering from village to village in their best clothes, with dark glasses and walking sticks, looking at the girls' dances and trying to make assignations. This sort of flirtation is confined to the young and irresponsible, and it would be regarded as unseemly for a middle-aged man to pay much attention to the dances of young girls.

More respectable contacts are made by young people who go off 628
to stay with their relatives in distant villages. Everyone has 584
kinsmen and affines in many different villages, and it is the custom 574
to visit back and forth for weeks at a time. A young man may go on several days journey to visit his relatives among the Cewa and Nsenga tribes, or to live for a while with a relative working on a distant farm. While he is away, he may meet a girl whom he likes, and arrange to marry her. The dance situation does not provide

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[4] Cf. Barnes, op. cit. pp. 114 ff

628 much opportunity for a man to assess his sweetheart's domestic
584 efficiency and moral character, but he can get information on these
matters from other people who live in her vicinity. When he sees
594 a girl in a distant village where he is staying, he has more leisure to
see what she is like and can ask his own hosts about her character.
Girls visit in the same way as men, and if a girl is anxious to get a
husband and fears she may not find one, she may spend most of her
time visiting in different villages hoping to attract a suitable man.

[221] There is more time for visiting and flirting at the end of the dry season when there is little work to do in the gardens, but marriages are contracted throughout the year.[8]

Young men say that what they like in a girl is a light skin colour,
581 a pretty face, and the ability to dance and to copulate well. Some
832 men, however, say that such a girl might be all right to run after,
but for marriage one would also need to know that she could cook
porridge. Women say they like a man who is well dressed, who
has a good job working for a European, and who has a parting in his
hair. Women sometimes wear medicines which are believed to
attract men, and men who have no good clothes may borrow the
clothes of others in order to attract women.

3. *Sexual partners*

593 The relationship between a man and his wife, at least for the
581 first years of their marriage, is spoken of principally in sexual terms,
and the sexual activities of the couple are more closely defined by
the marriage bond than are their residence and their economic life.
Informants say that the reason for the existence of marriage is
either 'the work in the house', a euphemism for copulation, or else
'clothes', that is, so that a woman may have someone to buy clothes
for her. It is, however, much easier to improvise alternative solutions
to the problem of clothing than it is to find alternative means of
sexual satisfaction without coming into conflict with law and
morality. Furthermore, while we have seen in the old days that the
main emphasis was on the fertility of the woman, this has now shifted,
and it is her skill in copulation rather than her success in childbearing
[842] that is emphasised. Fertility is still valued, but does not appear to
form so important a theme in ceremonial, songs, and gossip as among
other societies where the principle of unilinear descent has not
broken down, and where, therefore, fertility either of a man's wife
or of his sister, is a vital necessity for the maintenance of local
structure.

593 The husband-wife relationship is one in which the man is apparently superordinate to his wife, but we shall see that in practice this superordination is not as clear-cut as might at first appear. It is furthermore a relationship in which there are certain prescribed mutual obligations, so that if these obligations are neglected, it is

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[8] Cf. Young and Banda, *Our African Way of Life*, p. 60.

necessary to take formal action to restore harmony. Husband and wife still remain separate persons, separated socially by their distinct roles. Yet they are bound together by economic ties, by symbolic procedures, and by mystical connexion. 593

The sexual rights and obligations of husband and wife in each other are not symmetrical. A man has exclusive sexual rights over his wife, but a woman cannot gain exclusive sexual rights over her husband. Her husband can take other wives, or commit adultery, and she has no ground in law for complaint unless at the same time he neglects her. The most she can do is to make life so unpleasant for him that rather than face her anger he decides to sleep with her alone. Mystical procedures are available to both man and wife, and while a husband may use medicines to safeguard that which is his by right, a wife uses medicines to augment her other sanctions, such as the threat of not cooking food for her husband or of running away to her relatives. There is one class of medicines[6] which a man can administer to his wife by cicatrization which it is believed will cause any lover of the woman to die. Another magical procedure is stated to prevent the lover from withdrawing after coitus, so that the adulterous pair will have to reveal themselves to their neighbours in order to gain medical assistance. These medicines are said to be favoured by men going off to Southern Rhodesia without their wives. It is difficult to tell to what extent they are actually administered, but the belief in their efficacy is wide-spread, and people would comment that so-and-so who was ill had become so because he had slept with a woman doctored in this way, and that the scars on such-and-such a woman were made when her husband had given her this sort of medicine. On the other hand a woman may use medicine[7] to prevent her husband from copulating with anyone else, and there are other medicines which act as love charms or which encourage the husband to stay at home at night.[8] The beliefs about difficult labour and *mdulo*[9] also have a stabilising effect in that the man may fear for the fate of his child and for that reason be faithful to his wife while she is pregnant. On the other hand it is believed that a rejected lover can give medicine[10] to a woman who resists his approaches, so that she will die or have difficulties in childbirth. The only way for a woman to avoid this hazard is to live demurely and not to excite the attention of other men.

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[839]
[843]

If a woman believes that her husband is committing adultery with [illegible]

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[6] Known as [illegible]. There are at least four varieties of this, associated with different maladies all of which are fatal to the adulterer. Cf. *[illegible]* in Colson, *Marriage among the Plateau Tonga* (Rhodes-Livingstone Papers—forthcoming).

[7] *[illegible]*. See below, p. 58.

[8] E.g., medicine made from the house lizard ([illegible]) and the domesticated cat, because these animals are always in the house and do not wander about.

[9] See below, p. 46.

[10] *[illegible]*, from the name of the species of frog from which it is made.

If a woman believes that her husband is committing adultery with 839
837 another woman she endeavours to find out who the woman is. She
578 usually refuses to speak to her when they meet, and if they are forced to come into contact, as at a beer party, there is likely to be a fight between them. A parturient woman may ask her midwife to pretend that there are difficulties in labour so that her husband can be called upon to confess his adultery and name his mistress.

864 The sexual aspect of marriage influences the training and experiences of children. The explanation given for moving children from their parents' hut to a dormitory at the age of six or seven is that by then children are 'wise enough' and will talk to their playmates about their parents' sexual activities in the hut. Girls aged [897] five years or so start to imitate the dances of their elders and to join in the dance competitions when girls come from other villages. [533] Many of the songs sung at these dances are concerned with various aspects of sexual relations. At age ten, or sometimes earlier they [535] also begin to practice the most important of the women's erotic dances, *cimwangalala*,[illegible] which is performed only indoors. At a 881 girl's first menstruation she is secluded for from a few days up to a 864 month, and is tested by women who have borne children to see that she can dance *cimwangalala* and other erotic dances effectively, that she knows the formalities of copulation, and how to behave when she menstruates. Even where the girl is secluded for the full month, and her training is accompanied by a great deal of symbolism and ceremonial, there is little reference to her potential fertility.

864 There is no formal instruction in sexual matters for boys, and there are no erotic dances for them. They learn their sexlore from their older companions in the bush or in the dormitory. The only specific aspect of sexual maturation that appears to receive emphasis [831] is the growth of large testicles, and boys brew themselves medicines to expedite this.

842 Both fertility and sexual satisfaction can be facilitated by the use 836 of medicines. There is a well-known medicine for the cure of barrenness, and there are many kinds of aphrodisiacs.[illegible] A girl [864] learns the use of aphrodisiacs from other women in the village, and she is formally taught sexual behaviour by her puberty instructress.[illegible] The old woman who is in charge of her puberty seclusion, who is 881 sometimes the girl's grandmother, supervises the sexual behaviour 593 of the girl for the first few years of her married life. If, as a bride, she succeeds in forcing her husband to give her a present before she will lie with him, the present must be handed over to the puberty instructress the next morning. Later she may demonstrate her [539] erotic proficiency by dancing[illegible] in the hut before her husband and her instructress.

[illegible] Meaning, in Nsenga, 'the thing of you just sleeping' (i.e. copulating).

[illegible] Such as [illegible], a root, and [illegible], a plant.

[illegible] *Nkhombe*.

[illegible] The dance is called *cikapa*. Cf. Nyanja *kapukapu*, swinging backwards and forwards.

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni
MALAWI FR4

Girls are not examined to see if they have been deflowered. Many N 864 girls have love affairs with young boys before they reach puberty, 831 and at one time children built play-houses, after the manner of the Cewa, where they pretended to be adults playing at cooking and M copulation. The Cewa encouraged this among their own children 831 and at puberty Cewa girls, if not already deflowered, had their 831 hymen forcibly ruptured in a prescribed manner. We have seen that the Ngoni formerly expected girls to be chaste before marriage while the Cewa believed that if a girl did not copulate at puberty 836 she would die. It seems nowadays that adults expect that pre-pubescent boys and girls will play together sexually and that, N provided this takes place with a certain amount of discretion, nothing [864] is done to stop it. Boys and girls visit each other in dormitories, hoping that their voices will not be recognized by people in neighbouring huts. After puberty young men and women continue to flirt together, individuals varying in the extent to which they copulate. Grown men do not usually sleep with young girls, nor grown women with young boys, and if this does happen and is discovered there is always the suspicion of sorcery. The Ngoni believe, with most of their neighbours, that in order to make many N [154] of the anti-social medicines of sorcery effective, a sorcerer must copulate with some partner morally forbidden to him (or her), such as a close relative or a person of greatly disparate age or an animal. With this background of belief, Ngoni say that after puberty young men and women naturally like to frolic together and not with their juniors. Within this framework of tolerated covert activity no particular arrangements are made at puberty, save that if a man is betrothed to a young girl he will be invited formally to come and sleep with her once while she is secluded.

Thus from an early age their future roles as husbands and wives condition the sexual activities of boys and girls. A girl who allows herself to be seduced too easily is regarded as foolish and a man who is for ever chasing unmarried girls when he should be founding a family is regarded as immature. But sexual activity is taken for granted, and the only stipulations are that it should be conducted discreetly so that the older people in the village are not forced to notice it, and that unmarried girls should not bear live children. N Knowledge of abortifacients seems to be fairly common and recently [847] contraceptives, issued originally to soldiers in the 1939-45 war, have [842] come into use. Few cases of seduction of unmarried girls come before the courts.

N Despite the emphasis on sexual satisfaction rather than on fertility, 842 Ngoni men and women still desire children. This is so for men despite the low incidence of bridewealth payments and the uncertainty about the custody of children. A man's children may decide to N live with their mother's people, but they are still his children and [593] he can always follow them from village to village in his old age WHEREVER THEY DECIDE TO SETTLE.

842 wherever they decide to settle. Children are still valuable. A barren woman is pitied, and a man's impotence is whispered about behind his back. Men and women seek fertility, and a man tries to conceal his impotence. A woman who does not want to bear children is regarded as irresponsible.

We have seen that the traditional solution for barrenness was to introduce a linked co-wife, but this is now rarely done. A woman can either look for medicines[18] to make her fertile, or, if she is unsuccessful, she may beg children from a fertile sister. These children will stay with her while they are young, but they are not thought of or talked about as being her own children.

No clear distinction is drawn between impotence and sterility,
and men who are said to be impotent are also known to commit
adultery. A sterile husband does not find favour with his wife or
with her relatives, who want her to have children to care for her when
she grows old. If medicines fail to cure a man's sterility, and it is
thought that the lack of children is due to him and not to his wife,
then he may call in an acquaintance to sleep with his wife so that
[837] she may conceive. For this task, it is said that a man will choose a
person whose discretion he can trust, but one on the fringe of his
acquaintance who will not feel disposed to gossip maliciously about
the incident afterwards. Thus it is said that a man would never
ask his brother to do this. If the woman bears a child then at some
[431] later date the husband gives a goat to the progenitor, hoping that
people will not connect the present with the birth of the child.

Sterility is a shameful thing and men do not easily admit to it.
[128] My information on the procedure followed in specific instances is
based only on village gossip and not on admissions by the men and
women concerned. Although it is agreed that a sterile man may feel
842 forced to call in a seed-raiser the whole matter must remain secret.
837 There must be no loophole by which adultery might be condoned.
In the words of an informant,

> A man may be impotent and may ask someone to copulate with his wife so that she may have children. This man coming to copulate with his wife comes in secret as it is considered a disgraceful thing among the people of the family and the rest of the village if they know, yet the people in the village know very well sometimes. In the old days the same thing happened, but if a man coming to sleep with the woman came in an open way, and everyone knew of his sleeping with the wife of an impotent man, he was to be killed by the chief, even though the impotent man asked him to do this work for him. The person coming to do this work of copulating with this woman was to be paid a cow or a goat for the work that he did. In these days it happens.

The sterile husband takes the risk that his friend will continue sleeping with the woman after she has conceived. I have recorded one instance where the woman ran off with the man called in by her sterile husband. 592 839

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[18] Called *ciaŵa*. The first child born after the successful administration of this medicine is sometimes called Ciaŵa.

4. The legal relationship

Emphasis on sexual partnership is characteristic of the beginning 593 of marriage. Young people are 'foolish', dance all night long and sleep late in the morning. With the arrival of children, man and wife emerge from the tutelage of their elders and non-sexual aspects [851] of their marriage relationship gain in importance. Even then the importance of sexual satisfaction is not forgotten. People say openly of a woman who obstructs her husband when he seeks a second wife, 'She is too fond of his penis', and old widows explain their failure to remarry by saying 'Our joints are too stiff to copulate'.

Nevertheless at all times there is a great deal more in Ngoni marriage than mere sexual partnership. The obligations and duties of husband and wife towards each other and each other's kin are determined by the marriage payments and ratified by the ceremonies of marriage. These obligations persist despite the fluctuations of sexual attraction. We have seen that in 'the time 583 of peace' the two principal transfers were 'snuff-box' and bridewealth. 178 Today the position is different and the rights transferred by the marriage payments are different. For simplicity we may discuss the latter payment first. Bridewealth is still recognised but, as can be seen from Table V, is paid in only about four per cent of all marriages. It consists of a payment of one or more beasts or £8 made by the man to his wife's father.[19] If only one cow is offered and it dies before calving, it must be replaced. Some indication of the range of variation in amounts paid is given by Table VI.

This sample of only twelve payments is very small, but there is some indication that the amount paid has decreased in recent years. This is of interest in view of the general rise in the standard of wealth and in the amount offered as legalization payment.

By the payment of bridewealth a man ensures that all the children of his wife, by whatever genitor, shall, or rather ought to, belong to [851] his group of relatives and live in his village when they grow up. The payment is made only after several children have been born. In the old days, if this payment was made, the children were legitimate and lived in their father's segment, and if it was not paid they could be claimed by their mother's father's segment. In these days there is no such hard and fast rule. Everyone has in effect a large choice of places where he can live, and the payment or non-payment of bridewealth for his mother is only one factor operating with many others in influencing his decisions. It is not surprising that so few people pay bridewealth.

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[19] For comparative figures for the Ngoni of Southern Nyasaland, see Read, 'Native standards of living and African cultural change', *Africa* xi (1938), 3, supplement, p. 22.

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580 Bridewealth is not often returned. A man does not usually consider offering the payment until he is fairly sure that his marriage is a stable and happy one, with little likelihood of divorce. Divorce is more the time for paying bridewealth than for taking it back. If a man has had children by a wife whom he later divorces, then,

Table V. Incidence of bridewealth, by decades

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Bridewealth	Date of marriage									Total
	1870-87	1888-97	1898-1907	1908-17	1918-27	1928-37	1938-47	1948-49	Not known	
Offered and accepted ..	–	1	2	3	3	3	3	–	–	15
Offered but refused ..	–	–	–	1	–	–	–	–	–	1
Not offered ..	1	12	26	46	61	56	110	17	8	337
Total	1	13	28	50	64	59	113	17	8	353
Ratio of offers to total number	0%	8%	7%	8%	5%	5%	3%	0%	—	4%
Not known if offer was made or accepted ..	1	3	6	6	12	11	16	7	2	64
Grand total ..	2	16	34	56	76	70	129	24	10	417

Informants as in Table VIII

Table VI. Magnitude of bridewealth, by decades

Amount paid	Date of marriage								Total
	1870-87	1888-97	1898-1907	1908-17	1918-27	1928-37	1938-47	1948-9	
Beasts: 1 ..	—	—	—	1	1	2	1	—	5
2 ..	—	—	—	—	1	—	—	—	1
3 ..	—	—	1	—	1	—	—	—	2
6 ..	—	—	1	—	—	—	—	—	1
8 ..	—	1	—	—	—	—	—	—	1
£5 ..	—	—	1	—	—	—	1	—	2
Total ..	0	1	3	1	3	2	2	0	12

Informants as in Table VIII

unless he has paid bridewealth, the children will go to her relatives, [illegible] whatever the cause of the divorce and whichever party is at fault. He can then offer bridewealth to secure custody of the children at the same time as he loses the services of his wife.

Bridewealth to-day is almost entirely concerned with the custody 583 of children of the marriage and does not affect the rights of a man in his wife. These rights are determined by a payment which probably did not exist in the old marriage system and which we may call the legalization payment.* This payment is now the most important in marriage and is the only one recorded on the printed marriage certificates issued by the Administration through the Native Authorities. The Ngoni believe that the word has been taken from the Cewa, although the Cewa use the word differently. A law was made in about 1944 by the Ngoni chiefs fixing the amount [illegible] of the legalization payment at a minimum of thirty shillings. Prior to this edict smaller amounts were more usual. The way in which the magnitude of the payment has varied through time can be seen from Table VII. Some people do not follow the law and pay less than thirty shillings; the majority pay the legal amount, in some areas thirty-five shillings is more usual, and recently a few fathers have successfully demanded much higher sums, up to £10, for their daughters. The edict implied that at least thirty shillings should be offered in every marriage, but marriages have been and still are being contracted without any legalization payment, as can be seen from Table VIII. However, from this table it appears that in the last twelve years legalization payments have been offered in a greater proportion of marriages than previously.

The most important right established by this payment is that to [illegible] damages in the event of adultery. If a man has made the legalization payment he is sure that when his wife commits adultery the court will order both the woman and her lover to pay him damages. [illegible] Adultery suits are the commonest heard in court and the legalization payment clearly establishes the fact that the man and woman are married in the eyes of the law. If the first payment a man 583 makes is bridewealth, the legalization payment falls away, and he gains the exclusive right of sexual access to his wife without any further payment. In this respect we can see a carry-over from the old system in which bridewealth followed after 'small-hoe', and adultery was punishable by death. Usually if bridewealth is paid in a subsisting marriage, it comes after the legalization payment and is additional to it. The one payment relates to the custody of the children, the other to the sexual services of the woman. We have noted that bridewealth can be offered on the occasion of divorce when perhaps no legalization payment has ever been made.

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* *Chiwalo*. Cf. Young, *Notes on the customs and folk-lore of the Tumbuka-Kamanga peoples*, p. 61; Coxhead, *The Native tribes of North-Eastern Rhodesia; their laws and customs* (Occasional Papers No. Five, Royal Anthropological Institute), p. 58; Barnes, op. cit. p. 339

4: Barnes K-5 (1946-1949)1951 FRS Ngoni FRS
Mpezeni

The third payment we have to consider in modern marriage is '[illegible]', and this nowadays is not important. The word is used in two senses. It may be an alternative name for the [illegible]-

Table VII. Magnitude of [illegible] payment, by decades

Amount paid	Date of marriage									Total
	1878-87	1888-97	1898-1907	1908-17	1918-27	1928-37	1938-47	1948-9	Not known	
Beads	—	—	—	[illegible]	—	[illegible]	—	—	—	[illegible]
Cloth	—	[illegible]	[illegible]	[illegible]	—	—	—	—	—	[illegible]
A chicken	—	[illegible]	[illegible]	[illegible]	—	—	—	—	—	[illegible]
Sheep: 1	—	—	—	[illegible]	[illegible]	[illegible]	—	—	—	[illegible]
2	—	—	[illegible]	—	—	—	—	—	—	[illegible]
Goats: 1	—	—	—	[illegible]	[illegible]	[illegible]	[illegible]	—	—	[illegible]
2	—	—	—	[illegible]	[illegible]	—	—	—	—	[illegible]
A [illegible]	—	[illegible]	—	[illegible]	[illegible]	[illegible]	[illegible]	—	—	[illegible]
Total non-money [illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	—	—	[illegible]	[illegible]	[illegible]	—	[illegible]	—	—	[illegible]
[illegible]	—	—	[illegible]	—	[illegible]	—	[illegible]	—	—	[illegible]
[illegible]	—	—	[illegible]	—	—	[illegible]	—	—	—	[illegible]
[illegible]	—	—	—	[illegible]	[illegible]	—	[illegible]	—	—	[illegible]
[illegible]	—	—	—	—	[illegible]	—	[illegible]	—	—	[illegible]
[illegible]	—	—	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	—	—	[illegible]
[illegible]	—	—	—	[illegible]	[illegible]	[illegible]	—	—	—	[illegible]
[illegible]	—	—	—	—	[illegible]	—	—	—	—	[illegible]
[illegible]	—	—	—	—	—	—	[illegible]	—	—	[illegible]
[illegible]	—	—	—	—	—	[illegible]	—	—	—	[illegible]
[illegible]	—	—	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	—	[illegible]	[illegible]
[illegible]	—	—	—	—	[illegible]	—	—	—	[illegible]	[illegible]
[illegible]	—	—	—	[illegible]	—	—	—	—	—	[illegible]
[illegible]	—	—	[illegible]	—	[illegible]	[illegible]	[illegible]	—	[illegible]	[illegible]
[illegible]	—	—	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	—	[illegible]
[illegible]	—	—	—	[illegible]	—	[illegible]	[illegible]	—	—	[illegible]
[illegible]	—	—	—	—	—	—	—	[illegible]	—	[illegible]
[illegible]	—	—	—	—	—	[illegible]	[illegible]	[illegible]	—	[illegible]
[illegible]	—	—	—	—	—	—	[illegible]	[illegible]	—	[illegible]

SR3
FRS

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
—	—	1	1	0	—	— —
—	—	4	—	0	—	— —
2s. 6d.	5s.	10	—	8	—	— —
12s.	5s.	24	—	10	—	— —
13s.	6s.	30	—	24	1	— —
20s.	10s.	30	1	31	—	1 —
20s. 6d.	£1 10s.	30	—	30	1	1 1
41s.	£1 10s.	13	—	13	—	— —
14s.	—	3	—	3	—	— —
20s. 6d.	£1 10s.	150	2	130	3	2 1

Informants as in Table VIII

fine payment, where the payment is made in kind, that is, one beast, and not in money. This is a straightforward continuation of the old usage, for we have seen that it was by the payment of 'small-fine', consisting of one beast, that a man established his exclusive sexual rights over his wife. Nowadays few people offer a beast as legitimation payment. The word can be used in another sense to indicate any small present made by the man to the wife's father at the beginning of the marriage negotiations, as an indication that he intends to make the proper and more substantial legitimation payment later on. A present of this kind is not recoverable, and consists of a shilling, a half-crown, a chicken, tobacco or a cloth. It conveys no rights at all.* SR3

The legitimation payment by no means completely transfers the woman to her husband's group. Her kinsfolk retain an active interest in her welfare, and are her refuge from her husband's wrath. They intervene to preserve the marriage when otherwise it would end in hatred and divorce. The husband must see that they are formally told whenever his wife becomes pregnant, and if she dies SR3 FRS

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* These small presents are also called [illegible], or [illegible], literally in Ngoni, 'the thing of opening a lip'.

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in childbirth the husband is held to be responsible at least in part. He must pay one cow* to the dead woman's kin to appease them. It is said that if bridewealth has been paid the man need not pay another beast, but that the woman's relatives would take a beast from the bridewealth and kill that in order to mourn their kinswoman.

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The separation of interest that continues even after a marriage has been contracted is demonstrated by the payments which husband and wife are required to make to each other. Although they use many things in common, their possessions are thought of as belonging either to the one or the other. A man may own chickens, although his wife looks after them for him, while a woman may own a beast and let her husband care for it. If husband and wife quarrel the one who apologises may offer a chicken to the other to make peace. These payments are in part enforced by public opinion

Table VIII. Incidence of legalisation payment, by decades

583
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Legalisation payment	Date of marriage									Total
	1870-87	1888-97	1898-1907	1908-17	1918-27	1928-37	1938-47	1948-9	Not known	
Offered and accepted ..	1	4	15	34	33	30	85	13	3	218
Offered but refused	–	–	–	1	–	1	3	–	–	5
Not offered ..	–	9	12	21	29	27	30	3	4	135
Total	1	13	27	56	62	58	118	16	7	358
Ratio of offers to total number ..	100%	31%	56%	63%	53%	53%	74%	81%	—	62%
Not known if offer was made or accepted ..	1	3	7	6	14	11	17	6	3	70
Grand total ..	2	16	34	62	76	69	135	22	10	428

124
Informants

	Used	Potential	% Used
Men Women	122 232	136 250	89·6 92·8
Total	354	386	91·7

Number of marriages in which both partners were informants 133

and pressure from kinsmen, but also occur within the intimacy of life in the hut. Husband and wife shave each other's pubic hair and if either cuts the flesh of the other, he or she must offer a chicken in compensation. It is said that if this is not done, then the injured person will shame the *other* by telling people about the incident. A man cannot take the produce of his wife's garden without her permission, even though he may have done most of the work in it and have originally provided the land for her. In court, a woman may be ordered to pay her husband damages, or a husband to pay his wife, and this is done without terminating the marriage, and despite the general principle that a husband ought to be financially responsible for his wife.

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* Called [illegible], from the Nsenga verb, [illegible], to bite or chew. The corresponding payment among the Cewa is said to be called [illegible] or [illegible]. Cf. Young, op. cit., p. 65.

The social distance that separates man and wife never completely vanishes, while on the other hand there are formal ways of increasing it. When the divergence of interest becomes too great divorce is the usual solution, but before that stage is reached there are various procedures by which the danger of open conflict is reduced. A wife expresses her dissatisfaction with her husband by failing to cook food for him or by running away from him, that is, by non-co-operation in the domestic unit. For his part he can retaliate by staying away from her night after night, by not clothing her, and so on. When the stage in the quarrel is reached at which the man 'leaves his wife in disgust',[illegible] he formally indicates that he cannot maintain friendly relations with her, but that he does not wish to divorce her. It is re-establishment of the marriage relationship at a different level. He never sleeps with her, but he must continue to clothe her and to help her in her garden. If she is his great wife he must appear on her verandah during the daytime. Outwardly the position has not changed. Yet everyone knows that they do not sleep together and that there is coldness between them. The state of affairs can be ended if and when the couple become reconciled on their own account or because of the pressure of kinsfolk. It is a procedure favoured by chiefs, who have many wives and who do not wish to incur the disgrace still attaching to divorce in aristocratic circles. Some men purport to adopt this procedure when their real intention is to provoke their wives into committing adultery.

5. Co-operation between husband and wife

Despite the separation between the couple there is a very great deal of co-operation between them. A man must see that his wife is clothed and housed, and that she has a garden of her own; and to a large extent he is responsible before the court for her actions. A woman must feed her husband, provide hospitality for his friends, and

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[illegible] *[illegible] [illegible].* The verb *ku-[illegible]* is also used when a man eating porridge sees a visitor coming and hides the porridge rather than share it with him. The verb may perhaps be derived from the same root as the Zulu *[illegible]*, to ignore, leave unnoticed.

593 brew beer when her husband asks her. In addition to this minimal
amount of required co-operation, in many instances husband and
wife have a great deal in common. They may go to church or visit
a relative, or even go together to a beer party.

The obligation on a man to clothe his wife is the most clear-cut
[illegible] and obvious duty in marriage. It is the failure to clothe that is
usually cited as evidence of desertion when a woman seeks a divorce.
There is no specific standard to which he must clothe her, but she
usually insists that she is not to be more poorly clad than are her
[illegible] neighbours. Clothes consisted in the old days of skins and barkcloth,
[197] but cloth was introduced by Arabs before the Europeans arrived,
and was used as a form of currency by the early European settlers.
A few people still wear skins, but only on top of Western clothing.
[302] There is no indigenous weaving, and all clothes have therefore to be
bought in the shops.

342 The man takes the initiative in finding a hut in which he and his
wife live, and it is he who undertakes the major work of repair.
356 Houses, if made of bamboo, last for about twenty years, but require
462 rethatching, while pole and mud huts last about eight years only.
When a couple begin to live together they usually borrow an empty
hut in the village, asking the man or woman who is looking after the
hut if they can move in. No charge can be made for the loan of a
[591] hut. If the marriage begins uxorilocally, and the woman has
previously been living in a dormitory, she may ask the other girls in
the dormitory to go and sleep elsewhere until her husband can build
her a hut of her own. The man does the work of marking out the
site, digging the foundations, cutting the trees for the framework,
and so on. All these are men's jobs, and he may be assisted in the
work by his male neighbours and relatives. His wife gathers
thatching grass, but the men do the actual thatching. The finishing
of the house is entirely the wife's work, and she usually gets her
friends and relatives to help her plaster the walls and floor. The
maintenance of the plaster remains her responsibility and she ought
to smear the floor every month after she has menstruated.

[illegible] Every wife ought to have her own garden, and, sooner or later,
her own storehouse. Most young people acquire gardens of their
own long before they marry, but continue to pool the produce of the
garden with the adult responsible for feeding them. This arrange-
ment continues after marriage, and the incoming spouse at first
usually assists in the garden of the other and is fed from the common
storehouse of his or her parents or relatives. If a woman has been
[illegible] living with her grandmother and her husband comes to live with her,
the couple draw on the wife's grandmother's storehouse for their food,
and place the produce of the wife's garden in it. Similarly, in
virilocal marriage, a woman may at first help in her husband's
garden and draw from his mother's storehouse. But after a year or
two, if a man is not to be despised as a sluggard, he must build a
storehouse in the village where they have settled, and see that there is

an adequate garden for his wife. He may clear a fresh garden on rejuvenated land, or enlarge his own or his wife's garden, depending on how they are placed. It is usually not until much later in the marriage that a man starts a garden of his own, distinct from the one nominally owned by his wife. The work of clearing a new place for a garden is not, among the Ngoni, necessarily a man's job, and can be undertaken by a woman alone if she has no man to assist her. If the husband is present, he does most of the tree felling, and his wife breaks up the new ground with her hoe. 591 241 343 241 462

The planting, weeding, and cultivating are all done by both men and women, and during the wet season a man goes to the garden with his wife early in the morning and they both work there until they are tired. Later, when the growing crop has to be protected against monkeys by day and wild pigs by night, they both spend long hours on watch in the garden shelter. At harvest, both cut down the maize and lift the ground crops, but only the woman can carry the produce to the village. If the man helps, it is by bringing a cart or sledge and taking home a large load pulled by oxen. [892]

In the other subsistence pursuits of animal husbandry and hunting, there is no co-operation between husband and wife until the animals have been killed, when the woman has to cook the meat. Hunting is entirely a male occupation, and animal husbandry largely so. If a man goes away on a journey, he leaves his cattle in charge of his son or brother or father rather than with his wife. If there is no trustworthy man available, then they become his wife's responsibility, but all she in fact does is to see that the senior herdboy reports to her every evening about the state of the beasts. Small stock such as goats and sheep and pigs may be looked after entirely by the wife, and chickens are likely to be in her care. 224 233 462

A man looks to his wife to feed him, and it is considered a reflection on her industry if he does not get enough and has to hang about when his companions are eating in the hope that they will invite him to join them. She feeds him within the exigencies of the food-supply, which often involves semi-starvation in February and March. She is expected to cook competently, and if a woman continually burns the porridge which forms the basis of every meal, there will be strife between her and her husband. If she proves to be a really bad cook her husband may send her home again to be taught properly. 573 562 [252]

Beer-brewing is the work of women, and is a process lasting at least six days even after all the correct ingredients have been mustered. There is some variation with status in the extent to which husbands require their wives to brew beer, and it is in any case a matter in which the woman can take the initiative. Important men and chiefs who have many visitors like to be able to offer beer to their guests, so that queens spend much time brewing. But commoners need to conserve their food supplies more carefully, and know that their visitors will be disappointed but not surprised if there is no beer. A woman sometimes brews to sell the beer and gain [illegible] 273 462 [554] [574] [439]

670 money to buy herself clothes, if her husband has no money to give her.
In court, when a woman has to pay damages or a fine, she may
681 be able to provide the money from her own resources. If not, she
913 can turn to her husband or to her own kinsfolk. Provided damages
for adultery are not involved, her husband, if he is not away working,
ought to provide the money and a deliberate refusal to do so would
precipitate a major quarrel and the possibility of divorce. If a woman
gets into a fight at a party, and has to pay, say, half-a-crown to
someone she has hurt, her husband ought to find the money for her.
If he refuses to do so though she has no money of her own, the court
will say that he no longer loves his wife, and is trying to find an
opportunity to divorce her. Indeed, there would be little point in
the husband refusing to pay, as those who cannot pay their fines
are committed to prison, and he would then lose the services of his
wife.

593 A woman can hold property in her own right and a husband honours
421 a well-loved wife by giving her cattle. Gifts that she gets from her
own kinsfolk do not pass to her husband, and such things as blankets
and mats that she has used, even if her husband bought them, are
regarded as her own property. Even the money that her husband
gives her to make specific purchases is her own to do as she pleases
with, so that a woman may forgo the skirt for which her husband has
given her money and instead give it to her sister to buy something
else. Husbands do not always like such actions, but they cannot do
anything directly to prevent them. One of the ways in which a wife
acquires livestock of her own is by buying animals with the money
she gets from her husband for clothes. The produce of a wife's
wet-season garden, maize, sorghum, millet, root crops, pulses,
[548] cucurbits, is in effect held in common by husband and wife, and
neither ought to sell any of it without first consulting the other.
[584] On divorce the crops are divided between them unless the court
decides that one party did not work in the garden, or has deserted
the other. The money a woman earns by brewing beer for sale she
[463] usually keeps, although some men say that a woman should hand
the money over to her husband, lest he find her with it and suspect
that she has earned it by prostitution. In practice, most women
seem to keep their own earnings and it is not uncommon, where the
husband is a drunkard and weak-willed, for his wife to have custody
of his money as well. Indeed the simultaneous operation within the
husband-wife relationship of structural separation and social
co-operation is well demonstrated by the apparently paradoxical
situation, of which I saw two instances, in which a man ordered to
pay damages to his wife for fighting her had to ask her to hand him
over the money so that he could duly hand it back to her.

6. Mystical Links

593 Symbolic expression of the relationship between man and wife
is not greatly developed among the Ngoni, and the mystical bonds

uniting a married couple are weak as compared with say, the Bemba.[44] 573 The bride is anointed with gall, and carries the gall bladder in her hair back to her own village as a sign that she has been through the marriage ceremony and has been instructed in her wifely duties by her husband's kinsfolk and neighbours. But the husband himself is usually not there, 'that day is not his work', and I once saw a man quietly drinking on one side of the village while his bride was being anointed on the other. In general it is not until much later that husband and wife appear together in ceremonial situations. The personal association of husband and wife begins in darkness and the privacy of the hut. Later the wife will have validated her status as a married woman, and can appear as such in public alongside her husband without embarrassment.

It is when a woman is pregnant that her husband's actions are most 843 liable to affect her mystically. In general a man may commit 837 adultery and his wife has no case against him; but when she is pregnant he is under a moral obligation to sleep only with her and, if he is a polygynist, with his other wives. His adultery endangers her life, for it is believed that her labour will be difficult and she or the child may die. The pregnant woman is in mortal danger if she herself commits adultery and there is a common obligation of fidelity on both man and wife throughout pregnancy, accompanied in the eyes of some people by a positive obligation to copulate together so that the foetus may grow strong in the womb. When labour proves 845 difficult, the midwife calls on the husband to confess the adulteries he committed while his wife was pregnant so that the child can be born. She may also tell the woman to confess.[45] If the child is born dead, the woman's relatives begin to suspect that the man confessed only some of his adulteries and concealed others, thereby killing the child. We have already noted that if the woman dies the husband must offer a beast to her kinsfolk (pp. 29f).

From the birth of the child until its umbilical cord has fallen off 836 and it has been doctored, the husband should not sleep with anyone 837 at all, not even with his other wives. 182 He can resume sexual relations with them after the cord has fallen but he does not sleep with the mother of the child until about three months after the birth, when he has ritual intercourse with her and the child is again doctored. While the infant is sleeping the husband has coitus interruptus with its mother and allows his semen to fall on her thighs. She smears the semen over her thighs and then takes up the child and gives it to her husband, who rests it on his hips. After a moment he hands the infant back to his wife who also rests it on her hips. The child is then put back to sleep on the mat beside the couple. This ritual intercourse is obligatory in that if it is omitted it is believed the child

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[44] Cf. Richards, op. cit., p. 113.

[45] Cf. Barnes, op. cit., p. 166, and H. F. Barnes, 'The birth of a Ngoni child' Man, xlix (1949), p. 9.

846 will die. The child is in danger from the illness known as *ndulo*
985 throughout the period from birth until the resumption of intercourse
153 between its parents. It is not until after this ceremony, known as
[153] "taking up the child"[30] that the mystical link between man, wife, and
child is broken and the man free to commit adultery without mystical
593 retribution. Thus while there are definite rights and obligations
between husband and wife which can be enforced in the courts or are
susceptible to the pressure of public opinion there are also in the
critical situations of pregnancy and childbirth other mystical forces
operating which unite the couple to a greater extent than at any
841 other time. To a lesser extent the same principle operates when a
woman menstruates. Her husband is in danger from her menstrual
blood. She may not lie on the same mat with him and if he has a bed
she must lie on the floor. If he has intercourse with her while she is
[153] menstruating he will contract an illness called *lupula*[31] whose
symptoms are a very black face, nasal discharge, and continual
765 feeling of cold. After death a man's widows are in danger of *ndulo*
153 if they commit adultery during the first month of mourning.

593 We see then that the relationship between a man and his wife is partly defined in legal terms, with mutual duties and rights that are enforceable in the courts. This relationship is documentated and validated by the transfer of money and cattle from one group to the other and by the performance of the various marriage ceremonies. Because of the relationship between them, man and wife live together, sleep together, eat together and work together. But above all, together they produce and rear children. It is primarily because of these children that the kin of man and wife are concerned
[591] in the marriage relationship. It is during the long process of producing children that the two spouses are most closely associated with each other, and actions of the one in some mystical way directly and automatically influence the well-being of the other.

When a marriage grows out of flirtation between a young man and a young woman, there is at first sexual attraction between them. With the passage of time this may give place to a broader sentiment of mutual affection and respect. To this extent we may say that man and wife come to love each other. But whereas young men frequently discuss with other men the attraction they experience towards women, unmarried or married, they do not do this when they have settled down and begun to acquire prestige in the community. A man may quarrel with his wife in public, but he never expresses his affection for her, save in the intimacies of the hut. Men
[?] and women mourn their spouses with great lamentation at funerals,
[?] but while this may sometimes be the expression of a personal

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[30] *Kusula* [illegible]. Cf. [illegible] among the Cewa.

[31] Cf. Read, op. cit., "The moral code . . .", p. 33, where she describes a medicine called [illegible] with which men doctored their wives so that their lovers would die of a wasting sickness. Also cf. Zulu [illegible].

sorrow, it is not necessarily always so, for loud wailing and tears 593 are appropriate at the death of all neighbours and kinsfolk, whether 765 friends or enemies. Men do not usually seek the companionship of their wives at dances and beer parties, although there are some 593 men who do. In our own society we think of a man earning his living in company with other men, but spending his leisure with his wife. By contrast Ngoni men work in the gardens with their wives but seek other company for recreation.

7. *Divorce*

The relationship between husband and wife can be terminated 586 by death or by divorce. If one spouse dies, then his or her interest in the marriage is guarded by the surviving kinsfolk, and we shall deal with their actions in our next chapter as part of the intervention of affines in a marriage. In divorce, however, except in cases of desertion, both husband and wife are themselves involved and it is primarily by their own actions, rather than by the actions of their kinsmen, that the marriage is terminated.

While a marriage is established without reference to the Ngoni state organization, except in so far as the issue of a marriage certificate is concerned, divorce more frequently involves resort to the Native [692] courts. It is possible to effect divorce without taking the matter to the court, and in the past, before the growth of the Native Authority bureaucracy had begun, many people were divorced in the village. Kinsfolk of the two parties meet together in the village of one or other party, discuss the marriage, and agree among themselves that the couple are to be divorced. The formal act of divorce is made by the couple shaking hands with each other, while those present tell them to stop hating each other. The woman is told 'If this man comes as a traveller to your house, and asks for water, do not refuse him'.

It is more usual for a divorce to be referred to the court. Attempts are made by the kinsfolk to resolve the quarrel, if quarrel there is, and when the attempts fail, the group seeking the divorce or hoping [691] to get damages from the other side take the matter to the county Native Court. It is open to either the man or the woman to take the initiative in this matter. The court hears the case, awards damages as appropriate, and, if it thinks fit, declares the couple divorced. The formal act of shaking hands is sometimes performed in court, but is often dispensed with.

Divorce takes place in the village only when there is substantial 586 agreement on both sides that it would be a mistake to allow the 692 marriage to continue. The meeting of kinsfolk in the village may reach agreement about the return of the legalization payment or even the award of damages, but it is only the court that has power to enforce decisions of this kind, and it is to the court that disputants turn when they cannot agree. When a man wishes to divorce his wife on the ground of her adultery he usually does so through the

586 (79)- court. Women whose husbands have threatened them with divorce often bring the matter to court so that the divorce may be ratified and their grievance brought to light, or in the hope that they may be awarded damages for cruelty. If a woman does not wish to be divorced she may hope that the court will persuade her husband to take her back. In some areas where the Native Court is powerful, divorces are referred to it even after they have been agreed to in the village. The Dutch Reformed Church Mission sometimes allows divorce, but its members first seek divorce in the Native courts [79] and then, when the divorce has been granted, apply to the Mission for divorce in the eyes of the Church.

586 After a quarrel between a man and his wife he may give her a present of sixpence or a shilling and tell her that she is divorced and must go home. This act does not of itself constitute a certain divorce unless the man takes no steps to persuade her to return after she has stayed at her own village for a month or more. If the man does not go to her kinsfolk to apologize and ask them to intercede with the woman on his behalf, then it is plain that he meant what he said, and the woman may feel free to seek a new husband. A woman divorced in this way is not, however, so sure of her position as if she had been divorced in court or by agreement at a meeting of kinsfolk and there is always the possibility that her old husband may bring a suit of adultery against her and the new husband. The gift and the husband's statement 'I divorce you' constitute really only a threat of divorce, and a woman who returns to her own people after such a threat and who is not followed by an apologetic husband will, if she is sensible, take steps to clarify her status. Her kinsfolk may go to her husband's kin and discuss the quarrel with them and attempt a reconciliation or they refer the matter to the court.

A man does not need any specific grounds for divorcing his wife and if the marriage has lasted only a short time he may just say that he does not like her or does not want her as a wife. If no marriage payments have been made a man may merely say he is tired of his wife and send her home. The more common reasons given when divorce occurs soon after marriage are that a wife is always quarrelling, is lazy about preparing food, is disrespectful, or is always running off to her own village. Where the marriage has lasted longer, the most common grounds for divorce are adultery by the wife and desertion by the husband.

A woman usually seeks divorce on the grounds of cruelty or desertion. It is not sufficient for her to claim that her husband is a leper, or is mad, or has syphilis, for the court will argue that she ought to seek out the proper medicine to cure her husband. If her husband has been sent to prison, the court will argue that he went against his will and that his wife must wait for him to come out. She is more likely to get a divorce if she can prove that he is continually beating her or that he does not clothe her although he has the money to do so. Sometimes a wife brings her husband to court seeking damages from him for cruelty without asking for a divorce. 586

The woman who pleads for divorce on the ground of desertion is usually the wife of a labour migrant. Her struggle is not with her husband himself but with her affines, his kinsfolk who try to protect his interests for him while he is away. We shall consider this type of situation in the next chapter, where we deal with the relationship between a woman and her husband's kin. Here it will suffice to say that provided the man has been away for about four years without writing the divorce is usually granted.

Actions for adultery are always liable to turn into divorce cases, and the amount of damages awarded depends on whether or not a divorce is granted. If adultery is proved, and it is easier to prove than to disprove it, the woman and her lover each pay 30s. to the husband and 5s. fine to the court. If the woman is divorced on the ground of the adultery, the damages are increased to £3 each to the husband and 10s. each to the court. In court the woman is usually asked "Which man do you love?" and if she selects her lover, the divorce is granted. Sometimes the husband protests that he wants his wife back, but if the court is persuaded that to send the woman back would only lead to more trouble, they will divorce the woman despite the protests of the husband. 684 586

When divorce is granted the legitimation payment, if it has been made, should be returned. The court does not, however, make any definite order on this point unless called upon to do so by the man or his relatives, and it seems that in the absence of definite instructions to hand over the money, it is retained by the woman's relatives. This is particularly true when the divorce is on the ground of the man's desertion when it is likely that his interests will be poorly represented by his relatives. 586 583

If the husband has brought his wife to court in order to divorce her on some ground other than adultery, the court may merely tell the couple that they are divorced, without awarding damages to either party. But the law on this point appears to be changing, and the rule followed in one court is not always followed in another. Even in the same court the decisions given at one time may conflict with those given at another. If the court decides that the woman is at fault she may be ordered to pay £3 damages to her husband. If the man is at fault then, more rarely, the man is ordered to pay £3 damages to his wife. Occasionally, although the fault is held to lie with the man, the woman is ordered to pay £3 damages to secure her divorce. The factors influencing these decisions appear to be the readiness of any particular court to listen to the pleas of a woman, and its opinion of the character of the woman. A woman who is regarded as foolish, or given to quarrelling over nothing, or promiscuous, is sometimes ordered to pay damages to her husband 586 [illegible] [illegible] [illegible]

[illegible] although the evidence presented during the hearing of the case has established the husband's fault as the ground for divorce.

Only if there is dispute over the matter will the court make an order about the division of crops. The principles of division are [illegible] that the crops belong to those who worked hard to grow them and that the children of the marriage have to be fed by the parent with whom they live, whoever may eventually have their custody. Thus in a case in which a woman successfully pleaded for divorce because of her husband's cruelty, the court awarded all the crops in the couple's garden to the husband, as the woman had been lazy and had done only a little towards their cultivation.

Bridewealth is not automatically returned on divorce and as we [illegible] have seen, divorce is the time for paying bridewealth rather than for retrieving it. The disposal of the children of a divorced couple is regarded as a separate issue and to be treated on its own merits.

[124] It is useful to have some quantitative estimate of divorce frequency, but the construction of a satisfactory measure is not easy. One aspect of the occurrence of divorce is presented in Tables IX and X, where the number of divorces experienced by wedded men and women of different ages is set out.

It will be seen that, considering only those wedded men and women whose divorces are known, the mean number of divorces per head of wedded population is 0·49 (81/164) for men and 0·30 (65/216) for women. This difference may be due in part to a greater reluctance on the part of women to admit to divorce, but is also due to the greater mobility of men. While women stay at home, their husbands go off to marry in the towns, divorcing their urban wives when they return home or when the strange rural environment proves intolerable to the women from the towns.

[illegible] By considering the number of years that marriages have lasted, it is possible to say what is the mean duration of marriage. The necessary information was available for 403 marriages extant as well as completed, experienced by men and women who were resident in the sample villages. The mean duration of all these marriages is 10·6 years, and the mean duration of the marriages that ended in divorce is 6·6 years. The median duration of all marriages is, to the nearest year, 8 years, and of marriages ended in divorce, 5 years. More divorces occurred in the period from four-and-a-half years to five-and-a-half years after marriage than in any other similar one-year period.*

124 For comparison with other societies, we can express as a ratio the relationship between the number of marriages that ended in divorce and the number that did not or have not yet done so. This can be done in three ways, as set out in Table XI.

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* There is no space here to give the method by which these calculations were made, but see my "Measures of divorce frequency in simple societies." *Journal of the Royal Anthropological Institute*, lxxix (1949) (pp. 37-62).

4: Barnes E-5 (1946-1949)1951 FRS Ngoni FRS
Mpezeni

The precise significance of these ratios need not concern us here. It is sufficient to note that they indicate that divorce among the Ngoni is more frequent than it is among the Nguni people from whom they first came where divorce is said to be 'rare'.[illegible] The Ngoni ratios are closer to the Lamba and Bemba than to the Tswana.[illegible] The indication is that Ngoni informants are right when they assert that divorce is much more frequent than it used to be, for it seems legitimate to suppose that in former times the Ngoni were more like their Nguni forbears, in this as in other things, than they are now.

59%
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Once agreed upon, either at the court or in the village, divorce

59%

Table [illegible]. Marital experience of males, by age, 1948-9

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931
59%

Present age in years	Marital experience													
	All males								Wedded males only					
	Number of marriages entered into since birth								Number of divorces experienced since birth					
	0	1	2	3	4	5	Not known	Total	0	1	2	3	Not known	Total
0-4	[illegible]	–	–	–	–	–	–	[illegible]	–	–	–	–	–	[illegible]
5-9	[illegible]	–	–	–	–	–	–	[illegible]	–	–	–	–	–	[illegible]
10-14	[illegible]	–	–	–	–	–	–	[illegible]	–	–	–	–	–	[illegible]
15-19	[illegible]	[illegible]	–	–	–	–	–	[illegible]	[illegible]	[illegible]	–	–	–	[illegible]
20-24	[illegible]	[illegible]	–	–	–	–	[illegible]	[illegible]	[illegible]	–	–	–	[illegible]	[illegible]
25-29	–	[illegible]	[illegible]	–	–	–	[illegible]	[illegible]	[illegible]	[illegible]	–	–	[illegible]	[illegible]
30-34	–	[illegible]	[illegible]	–	–	–	–	[illegible]	[illegible]	[illegible]	–	–	–	[illegible]
35-39	–	[illegible]	[illegible]	[illegible]	[illegible]	–	–	[illegible]	[illegible]	[illegible]	[illegible]	–	–	[illegible]
40-44	–	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	–	[illegible]	[illegible]	[illegible]	[illegible]	–	–	[illegible]
45-49	–	[illegible]	[illegible]	–	[illegible]	–	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	–	[illegible]	[illegible]
50-54	–	[illegible]	[illegible]	–	–	–	[illegible]	[illegible]	[illegible]	[illegible]	–	–	[illegible]	[illegible]
55-59	–	[illegible]	[illegible]	[illegible]	–	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	–	[illegible]	[illegible]	[illegible]
60-64	–	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	–	[illegible]	[illegible]	[illegible]	–	[illegible]	–	[illegible]
65-69	–	[illegible]	[illegible]	[illegible]	[illegible]	–	–	[illegible]	[illegible]	[illegible]	–	–	–	[illegible]
70-74	–	–	[illegible]	[illegible]	[illegible]	–	–	[illegible]	[illegible]	[illegible]	[illegible]	–	–	[illegible]
75-79	–	–	[illegible]	[illegible]	–	–	–	[illegible]	[illegible]	[illegible]	–	–	–	[illegible]
Not known	–	–	–	–	–	–	[illegible]	[illegible]	–	–	–	–	[illegible]	[illegible]
Total	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

[illegible] Gluckman, 'Kinship and marriage among the Lozi of Northern Rhodesia and the Zulu of Natal', in Radcliffe-Brown and Daryll Forde, eds., *African Systems of Kinship and Marriage*, [illegible].

[illegible] Gluckman in Mitchell and Barnes, 'The Lamba Village: report of a social survey' (*Communications from the School of African Studies*, University of Cape Town, new series No. [illegible]), pp. [illegible] ff., and Richards, op. cit. p. [illegible].

57% is normally irrevocable and couples do not often go back to each other. If a wife does go back soon after a divorce people laugh at her for having caused trouble over nothing. A husband may sometimes assert that his wife has been divorced without his approval, perhaps while he was away working, but such complaints go unanswered for it is in the interests of the court to uphold its own decisions. Even if a man is living in the rural area his wife may get a divorce if he refuses to go to court to defend his case. In addition he runs the risk of a fine for contempt of court. The somewhat lengthy process by which a woman can get her divorce despite the obstruction of her husband is illustrated by the following account of a court case.

[illegible]

Case history [illegible]

In April 1948 Zachariah, a man holding the royal descent-name and married to Ruth and Naomi, began to make advances to a recently divorced

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[illegible]

Table [illegible]. Marital experience of females, by age, 1948-9

Present age in years	Marital experience													
	All females								Wedded females only					
	Number of marriages entered into since birth								Number of divorces experienced since birth					
	0	1	2	3	4	5	Not known	Total	0	1	2	3	Not known	Total
0-4	[illegible]	–	–	–	–	–	–	[illegible]	–	–	–	–	–	[illegible]
5-9	[illegible]	–	–	–	–	–	–	[illegible]	–	–	–	–	–	[illegible]
10-14	[illegible]	–	–	–	–	–	–	[illegible]	–	–	–	–	–	[illegible]
15-19	[illegible]	[illegible]	1	–	–	–	1	[illegible]	[illegible]	1	–	–	1	[illegible]
20-24	–	[illegible]	[illegible]	–	–	–	1	[illegible]	[illegible]	1	[illegible]	–	1	[illegible]
25-29	–	[illegible]	[illegible]	–	–	–	1	[illegible]	[illegible]	[illegible]	1	–	1	[illegible]
30-34	1	[illegible]	[illegible]	1	–	–	[illegible]	[illegible]	[illegible]	[illegible]	–	–	[illegible]	[illegible]
35-39	–	[illegible]	[illegible]	[illegible]	–	–	[illegible]	[illegible]	[illegible]	[illegible]	1	–	[illegible]	[illegible]
40-44	–	[illegible]	[illegible]	[illegible]	1	–	–	[illegible]	[illegible]	[illegible]	[illegible]	–	–	[illegible]
45-49	–	[illegible]	[illegible]	–	1	–	–	[illegible]	[illegible]	[illegible]	–	1	–	[illegible]
50-54	–	[illegible]	[illegible]	–	1	–	–	[illegible]	[illegible]	[illegible]	[illegible]	1	–	[illegible]
55-59	–	[illegible]	[illegible]	1	–	–	–	[illegible]	[illegible]	[illegible]	–	1	–	[illegible]
60-64	–	[illegible]	[illegible]	1	–	–	1	[illegible]	[illegible]	1	1	–	1	[illegible]
65-69	–	[illegible]	[illegible]	–	–	1	–	[illegible]	[illegible]	[illegible]	–	–	[illegible]	[illegible]
70-74	–	[illegible]	[illegible]	–	–	–	–	[illegible]	[illegible]	–	–	–	–	[illegible]
75-79	–	–	1	–	–	–	–	1	–	1	–	–	–	1
80-84	–	1	–	–	–	–	–	1	1	–	–	–	–	1
Not known	–	–	–	–	–	–	[illegible]	[illegible]	–	–	–	–	[illegible]	[illegible]
Total	[illegible]	[illegible]	[illegible]	7	3	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	3	[illegible]	[illegible]

woman who lived near the place where he was working, with the idea of taking her as his third wife. Ruth, the great wife, was living with Zachariah at the time, and tried to prevent him from marrying this woman. Zachariah desisted but then became so angry with Ruth that he gave her sixpence and said she was divorced. She went back to her village, saying she would get a divorce in the court. She stayed at her father's village for some time and then went back to her husband. 159 593 595 586

In October there was another quarrel between Ruth and Zachariah. According to Zachariah he told his wife to bring some tobacco from inside the hut and she refused, whereupon there was a fight. Ruth took the matter to court, complaining that in the fight Zachariah had hurt her so

Table II. Divorce ratios

586

Ratio	Value
A	[illegible]% ([illegible])
B	[illegible]% ([illegible])
C	[illegible]% ([illegible])

Legend

- A The number of marriages ended in divorce expressed as a percentage of all marriages
- B The number of marriages ended in divorce expressed as a percentage of all completed marriages
- C The number of marriages ended in divorce expressed as a percentage of all marriages except those ended by death

124

Informants

	Used	Potential	% Used
Men	117	136	86·0
Women	222	251	88·4
Total	339	387	87·6

Number of marriages in which both partners were informants 111

159 593 592 586 badly that she had had to go to hospital. She produced a letter from the White doctor by way of evidence. Ruth's father testified that Ruth was the first wife Zachariah had married, yet despite this he fought her and did not fight with his second wife Nasoni. Ruth asked the court to divorce her as she feared she would be killed by Zachariah. A court councillor said that although she and her husband had been to the court before with their troubles, it was not the work of the court to force men and women to divorce one another but to instruct them how to live together in peace. Zachariah was ordered to pay two pounds damages to Ruth and ten shillings fine to the court. Zachariah agreed to pay the fine but refused to pay the damages. The chief, who was in court at the time, asked him if he said this because of his royal descent-name. If Zachariah persisted in his attitude the chief would write to his employer and tell him to deduct the money from his wages. Zachariah then said he would send a boy back to collect the two pounds from his village.

Ruth went to her own village. About this time Zachariah was transferred to another area, distant from Ruth's village. In November Ruth's father began to complain that the two pounds had not yet been paid and said that Zachariah was trying to trap his wife by not visiting her, hoping she would commit adultery.

In February 1948 Ruth took out a summons against Zachariah for failing to come and visit her despite the ruling of the court in October that they were not to be divorced. The summons was sent to Zachariah in another country and Zachariah wrote back to a court councillor to say that he would not come to court as he had heard that Ruth was committing adultery with a certain man. On receiving the letter the chief said nothing could be done about it until Zachariah decided to bring an action for adultery against Ruth.

By this time Zachariah had acquired another wife and when in March he was given leave he took the new wife to his own village where his second wife Nasoni had been living all the time.

In December 1948 Ruth brought an action against Zachariah for divorce on the ground of his desertion. Three times the case was down for hearing but Zachariah never appeared. The court then divorced Ruth with no damages to pay.

Hearing this Zachariah went to the District Officer and asked why his wife had been divorced without his knowledge. The District Officer referred him to the chief. Zachariah wrote a rather facetious letter to the chief challenging his right to divorce Ruth. The court clerk read the letter and said that Zachariah ought to be fined for insulting the chief. He observed that Ruth's mother had died in September and that Zachariah must be a cruel man as he had not gone to offer his condolences.

586 It is easier for a woman to prove desertion in a case like this where the man is living in the rural area, than when he is away in the town working and writes sporadically if at all. The court feels that it is under an obligation to the migrant labourers of the tribe not to divorce their wives too easily. But if a husband is in the area and could perfectly easily go and see his wife, it is much easier to demonstrate that the desertion is deliberate and sustained, and not merely forced on a man by the exigencies of earning a living.

586 177 We have seen that the two main grounds for divorce are adultery and desertion. Some Whites express this by saying that these are the main causes of divorce among the Ngoni and other tribes. The Ngoni do not see the matter in this light. The cause of divorce to them is the presence of the White group. Old men deplore the

apparent ease with which women get divorces and councillors say 586
that they divorce people only because the Administration would
interfere if they did not. We can see that in one sense the Ngoni 198
analysis is correct. Whatever may be the precipitating causes of
particular divorces, one basic factor is that the old social order in
which divorce was rare has been replaced, through a series of events
beginning with the White conquest, by a different form of social
structure in which wives are relatively mobile from one husband
to another. Adultery and desertion lead to divorce because it is no
longer necessary to tie down the fertility of women to definite points
in a segmentary system based on patrilineal descent, and this is so
because the system no longer exists. It is true that the Roman
Catholic and Anglican Missions do not recognize divorce but
ecclesiastical ceremonies have no force in law, either in the eyes of
the Administration or of the Native Courts, and the sanctions utilized
by these missions do not entirely prevent their members seeking
divorce.

Immediately after a divorce the couple usually wish to have little 586
to do with one another. After the passage of years the hostility
between them fades away and they may talk to one another in the
ordinary course of village life. They continue to address each other
as *husband* and *wife* and their children, although nominally in the
custody of one group or the other continue to visit back and forth
and keep the parents informed of each other's doings. A woman now
married elsewhere may return to her former husband when their
son comes home on leave from work. In her old age a woman may
even go back to the man from whom she was divorced a long time
ago if she has no one else to turn to for shelter and assistance. More
frequently she follows her children to where they are living in her
former husband's village but has little to do with him directly,
only through their children.

8. Co-wives

593

We have seen that the rights of a man over his wife's sexual 595
activities are different from hers over his. Whereas a woman who
commits adultery pays damages to her husband, he does not pay
her when he commits adultery. This lack of symmetry derives [684]
from the polygynous nature of the Ngoni marriage system. A
man can always argue that he is seeking another wife, even if the
woman he is running after is married to someone else. It is
considered no business of his wife to interfere. She may attempt
to stop him but all she can use are domestic and mystical sanctions,
she cannot appeal to the law. Again, a wife has no right to the
sexual monopoly of her husband and cannot prevent him from
taking additional wives except by making his life with her so difficult
that he decides to abandon the attempt.

As can be seen from Table III, about one man in seven has two 595
or more wives. Although the Christian Missions do not tolerate 199

595 polygyny, and punish their members who take additional wives,
794 there are still a number of Christian polygynists who for most purposes align themselves with the Christian group.

As in the old days, the wives of a polygynist are ranked in the
595 chronological order of marriage, the first wife married being the
178 great wife. If, however, bridewealth has been paid, the wives married
[583] in this way are all senior to those who are married without it. The arrangement by which a barren or aged wife was given a linked co-wife (*nsheam*) has now almost disappeared. A young girl may still be indicated as a linked co-wife designate at the gall bladder ceremony of her kinswoman and the intestines placed round her neck, but this is now a mere ceremonial, and the girl marries elsewhere when she grows up. As mentioned above a chief negotiated recently for a linked co-wife on the strength of bridewealth paid by his father, but with no success.

593 A man makes his headquarters in his great wife's hut, and keeps his possessions and money in it. During the day it is considered
595 proper that he should sit and chat or entertain visitors on the verandah of her hut. Her hut is likely to be of better design than those of her co-wives, and she is more likely than they to have a separate kitchen. When her husband returns from a journey, he ought to go first to her hut, and if he has brought back goods from Southern Rhodesia, it is in her house that he stores his loads until he has time to divide them among his wives and relatives. A visitor from afar goes first to the great wife's hut and there asks for the man he is seeking. In her husband's absence it is she who must entertain the visitor. This pattern of precedence is followed to greater or lesser extent despite quarrels between husband and wife, and is not affected by where the husband actually sleeps at night.

Apart from this emphasis on the importance of the great wife, the
595 correct behaviour for a man with many wives is impartiality. He must sleep with each wife in rotation, usually for a week at a time, and must not confide in one wife the secrets of his relationship to another. Relationships between co-wives are sometimes strained, and one may use medicines against the others. The medicine[illegible]
[830] believed to prevent a man from achieving erection with anyone other than the woman who gives it to him is sometimes used by one wife against another. On the other hand, some co-wives help each other in their gardens and many polygynists' households run smoothly. Each wife has her own hut and her own garden and it is possible for them to arrange their affairs so that they can co-operate or act separately as they find best. If they persistently quarrel
[591] their husband may deem it well for them to live in separate villages, so that for example a man may live virilocally with his great wife and uxorilocally with his second wife, going from one village to the

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[illegible] Possibly known as *ndamenga*. The details of this medicine are not known by many men, and I was unable to question any women on this matter.

other for a week at a time. Men working permanently in the township or with trading stores in strange villages take one wife at a time with them, and there is a change round every month.

It is the newcomer to a group of wives who is likely to be the target of hostility. The other co-wives sometimes combine to make life so difficult for her and their husband that he may decide to abandon the idea of marrying her. One way out of this situation is to go off to a farm or to Fort Jameson township. The couple live there until the man's other wives have calmed down and accepted the inevitable. When the arrival of a new co-wife is agreed to by the old wives she is expected to live in peace with them. They take part in her gall-bladder ceremony and instruct her in her duties as a wife. The kind of sentiments expressed by a woman to her new co-wife are illustrated in the following speech.

Case history 3

John had two wives and had just married another. The new bride, who came from Ishmael village, arrived at John's village for her gall bladder ceremony. She was instructed by many people including John's great wife, who said

'I am the great wife of John and I have a co-wife married to the same husband. We have never quarrelled since we were married to John. Perhaps you will be the first to start quarrelling in our home. If you are a quarrelsome person, when you go back to your home today, go and leave it [your quarrelsomeness] there and come back here with a good heart. Women who are married to one husband ought to love one another and sit together without backbiting. We have never held a meeting in this village because of a quarrel between us two [co-wives]. Leave all your jealousy at your home in Ishmael village and do not bring it here.'

[P 58]

CHAPTER IV

KINSFOLK, AFFINES AND NEIGHBOURS

1. *The setting of marriage*

C81
C62 WHEN a man marries he acquires not only a wife but also affinal relatives. His kinsfolk become her affines and both groups of relatives become kin of the children of the marriage. Husband and wife do not exist in isolation but are the centre of a network of relationships by which one group is articulated with the other. The common interest of the two groups is in the well-being of the couple and of the family which they found. This is true of all societies but among the Ngoni the relatives of a married couple play a more important part in the marriage than they do, for example, in Western society. The importance of the kin is increased by the custom of sending children away to live with their grandparents as soon as they have been weaned, and by the fact that husband and wife do not set up their residence entirely on their own but follow their [59] relatives and live in close proximity to one or more of them. We have said that in the old days the elementary family did not emerge as an important grouping in society. This proposition is still true to-day, although our grounds for making it have shifted somewhat. In the towns the old pattern of kinship cannot operate and husband [59] and wife live their lives much more as an isolated pair, cut off from their kin and alone responsible for their children. But in villages neighbours are kinsmen and a quarrel between man and wife brings kinsfolk from all around seeking to establish the rights and wrongs of the quarrel and to effect reconciliation. Many children are not sent to live with their grandparents, but even they grow up with their age-mates in the village, are fed by many different women, sleep in [E55] different huts, and visit to and fro with their relatives in other villages. The difficulties of rearing children in the towns have led to the rise of a new pattern in which children born in Southern Rhodesia are brought back hundreds of miles to the village to be cared for by rural kinsfolk. The quarrels of spouses in the towns are referred home to the village for discussion.

It is the kinsfolk of the pair who are most directly concerned with their marriage, but there are other persons and groups who are also interested. In the village the headman and his lieutenants, even if they are not close kinsmen of one of the spouses, have an interest in the good behaviour of the couple, and they too may intervene in a quarrel. They participate in the ceremonials of marriage, and may receive part of the meat and beer given by one side to the other.
C80 Beyond the village the Native Courts deal to a great extent with

6: Barnes E-5 (1946-1949)1951 FRS Ngoni FRS
Mpezeni

[illegible] the Native Courts deal with matrimonial matters, and are responsible for issuing marriage certificates. The Administration is concerned to see that marriage stability is maintained, that women are not denied justice in marriage disputes, and that adultery and prostitution do not flourish. The missions are interested in the maintenance of monogamy and the development of Christian marriage.

An unmarried individual is under the tutelage of the person who rears him. It is true that sometimes people say that children are responsible for their own actions before the court, and that truant schoolboys can be made to pay their fines themselves, but in practice it would be a harsh parent who denied help to his son in such a predicament. He has a legal right to refuse to accept responsibility for his child's actions, and public opinion would support a parent who washed his hands of a recalcitrant son who had given much trouble to his father for many years. A parent should however be very patient with his children, hoping that in the end after he has borne with their escapades they will become mature and wise. Where the child is in charge of another relative, such as a parent's sibling or a grandparent, the same attitude of adult towards child is expected. Some children live peaceably with their parents, and accept their direction in important affairs, while others move off of their own accord to more congenial kinsfolk or to earn their livelihood as best they can as juvenile labourers on the tobacco farms.

In relation to marriage this variable pattern of dependence and independence shows itself characteristically. Girls are on the whole more dependent on their parents than boys, yet some girls become economically independent and seek their own husbands a few years after puberty, while some men in their late twenties ask their parents to find wives for them. Between these two extremes the majority of the young population seek their own sexual partners but turn to their parents for assistance in arranging the marriage.

An unmarried girl depends on her kinsfolk for shelter and food, and it is they who take action on her behalf to protect her interests and to defend their own rights in her. If she is seduced and becomes pregnant her kinswomen find out from her the name of her lover. It is said that a girl will sometimes suggest the name of a lad whom she dislikes rather than reveal her true lover. Other people say that a girl will indicate the name of the man she wants to marry, whether or not he is the genitor of her child, in the hope that he will then marry her to avoid trouble. The girl's father, if he is available, takes the matter to court if he cannot get satisfaction from the alleged genitor, and it is to the father that the lover pays a beast[1] if he is found guilty. The child belongs to the girl's kin. The girl's parents may try to persuade the lover to marry their daughter if they think he will make her a good husband, but if he does not find favour in their eyes they remain hostile to him. We shall see later that if the lover is thought to be very desirable as a husband, the girl and her parents will begin to act as though she had in fact been married by him. Few cases of seduction come before the courts, perhaps because of the fact that it is only pre-marital pregnancy that can lead to action in the court and not merely pre-marital copulation. If the lover agrees to marry the girl it is in the interests of her kin to let him do so, rather than take the matter to court where they may be awarded more damages but where also their daughter will appear as a foolish and indiscreet person. It is said that some girls hand on to their parents some of the presents they receive from their lovers, and that therefore the parents take no action against the lovers, but I have no information as to the extent of this practice.

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[1] Called *[illegible]*.

The kin of a woman have therefore an interest in her sexual activities before she is married, and to a lesser extent a man's relatives have a similar interest. The main concern of a man, however, is that he shall not get himself into such serious trouble that he has to find the money for damages in the court and that he will not be forced to marry an unsuitable girl whom he has impregnated.

2. *The marriages of children*

581 At marriage itself a person's relatives may act on his or her behalf in choosing a spouse, and the factors that influence their choice are different from those which operate when people choose their own spouses. A man's relatives desire that the wife-to-be must be hardworking, polite to her superiors and not given to promiscuity. The fact that a girl begins to sleep with her lover may influence her lover's parents against her for they argue that if she sleeps so easily with their son she will soon tire of him and run off after someone else. They pay more attention to the character of her parents and siblings and look to see what sort of wives her sisters have made. Similarly the parents of the girl may look critically at the young man and they too argue that as he has already begun to sleep with their daughter he will soon begin running after other women and leave his wife 'alone in her hut'. If a relative of the girl has already married a relative of the man and that marriage has not been a success, their kinsfolk may try to prevent a second marriage.

Case history 4

[14] Abedson, who works in South Africa, wrote to his brother saying he wanted to marry Mary. The brother, who was married to Mary's sister, approached Mary's father who said that he could not agree. Mary's father later said that he opposed the marriage as Abedson's brother had infected his wife with syphilis and he did not want another of his daughters to marry into that family.

584 If a man is away working he may write home and ask his father or some other relative to find a wife for him. A marriage arranged in this way does not necessarily find favour with the man when he finds out who his bride is to be, but a number of soldiers successfully

married women chosen for them by their kinsfolk while they were away during the 1939-45 war. If the woman selected for him by one relative is unsatisfactory, a man may turn to another relative for help, as is shown in the following incident. 594

Case history 5

Alick, a young man of about twenty, was working in Fort Jameson. He wrote to his father in the village enclosing money for the legalization payment, asking that his father should find him a wife. His father spoke to a friend living in another village who had an unmarried daughter. The friend agreed that his daughter should marry Alick, but the girl said that she wanted to see Alick before making up her mind about him. Alick was told of the arrangement but refused to agree to it, saying that he knew that the girl chosen was a prostitute. [587]

Alick then asked a classificatory grandmother to find him a wife. This woman found a girl and when Alick came home from work he and a friend went for a walk to the girl's village to spy her out. The friend, on seeing the girl, advised Alick against marrying her and the negotiations again fell through.

Alick asked his grandmother to try again and this time he approved of the girl selected. The legalization payment was made and the girl came to live in Alick's village with his grandmother. After a week or so, she was taken by the grandmother and other important women of the village into the township to start living with Alick. [598]

On the other hand a man may desist from marrying the girl of his choice in the face of parental opposition. For example, the first girl that Amos found for himself was opposed by his father because her father was a sorcerer; the second on the ground that her parents were unreliable and that she was a cross-cousin, a point against her in that Amos's brother had married a cross-cousin and the marriage was not a success; only with the third choice did the father agree to his marriage. [591] [586]

The initiative in arranging a marriage lies with the man and his kin rather than with the woman, and a girl who goes too much out of her way to attract a husband risks her reputation and may be regarded as a potential prostitute. On elopement, it is the woman who runs off to the man's village or to his place of work, and it might be expected that her relatives would initiate action to bring her back or to claim damages for abduction. Sometimes a man does take action against the lover with whom his daughter has run away, and the lover pays a beast. Another man, however, may take no steps to follow his runaway daughter, merely refusing to recognise the existence of any marriage between her and her lover, and sometimes denying any knowledge of the lover's name. If the woman shows no sign of returning to her own village, efforts may be made to bring her children back to her parents to be brought up. Sometimes a man who has eloped with a woman later approaches her parents, apologises for his precipitate action and makes them gifts, after which they may decide to recognize him as a son-in-law. 593

If a man shows his intention of marrying despite the disapproval of his close kin, they can retaliate by not helping him financially, 584

594 by not visiting him, by refusing his presents of beer, and even by refusing to speak to him. Provided the man can find the money for the legalisation payment himself, they cannot prevent the money from being handed over. The woman's kin are in rather a
592 different position for they can try to prevent her from marrying
595 against their wish by refusing to accept the legalisation payment.
593 It will be seen from Table VIII that this happened in four per cent (5/130) of the marriages in our sample. The woman's father may sometimes think the sum offered is too small and may refuse to accept until it is increased. The man can either give way and offer the larger sum or, if he thinks the demand is excessive or beyond his resources, he may start living with her without any legalisation payment at all. He is then not so sure of his rights over his wife as he would be otherwise and his wife's parents may try to break up the marriage. Should quarrels lead to a divorce it will be easier to obtain because of the absence of payments.

597 The woman's relatives may, however, refuse to accept the offered
595 legalisation payment irrespective of the amount. They do this
596 if they feel that the marriage has no chance at all of success, either because of the unsatisfactory character of the man or of the well-established unreliability of their kinswoman. By refusing the payment they hope to protect themselves against the call for damages which they feel sure is bound to come when their daughter commits adultery and her husband wants to divorce her. Even at the monetary level the amount they are likely to get as legalisation payment is only thirty shillings while the damages they will be called upon to find will be three pounds. If, however, no legalisation payment has been made, then the divorce should be granted without the award of damages against the woman. Thus her relatives protect themselves financially by refusing the payment, but at the same time by so doing they are trying to avoid trouble in the group of kin and quarrels with their newly-found affines. If a man before making his legalisation payment shows himself to be unsuitable as a husband, or if it is plain that his wife will not be satisfactory to him, her kin will not put any pressure on him to pay and begin to hope that the marriage will end before too much trouble ensues. If the payment is made, some of the woman's relatives may refuse any part of it offered to them, hoping thereby to avoid future financial responsibility for her adultery.

Case history 6

Job works in the township and had two wives. He then married the girl Rebecca. She lived with him in town for a month or two and then Job sent her back to her village to be taught to cook properly. Her mother's mother remarked 'Ever since she reached puberty we told Rebecca she must learn to cook properly but she took no notice. The other wives of Job often laugh at her.' Her mother's mother's elder sister said 'It is a good thing for us that we did not accept any legalisation payment from this man.' A month or so later the marriage broke up and Rebecca was divorced.

Where a woman has already troubled her relations by her adultery, they may try to avoid further expense by refusing the legalization payment offered for her. [illegible]

Case history 7

Rachel had had two husbands and had been divorced from them both. She had also lived with a White for some years. In 1948 she began to live with Simo, who already had three wives. In 1949 Simo approached an important man in Rachel's village and asked him to act as intermediary as he wished to offer the legalization payment to Rachel's brother. This man refused to do so, and in the end Simo approached his brother-in-law himself. The brother-in-law said that he had known his sister Rachel a long time and she was just a prostitute. He would not take the money for her. Simo said he would speak to his wife and ask her to change her character. Eventually the brother-in-law agreed to accept the thirty shillings offered.

Although the kinsfolk of the man or woman can exercise social pressure to prevent a marriage it is difficult for them to force a girl to marry against her will, and impossible in the case of a man. We have noted that in the old days, according to informants, people married whom they were told and did not refuse. Even if this was ever true, it is true no longer. A man can move off to the towns in the face of pressure and a woman can always run away to other relations if her parents are insistent on an unwanted marriage. The Administration does not allow girls to be married against their will, but I do not know of any recent instance in which it has intervened on this issue. A girl's relations can show their anger by abusing her and by scaring off her own preferred mate, but they cannot detain her against her will and they cannot force her to go through the ceremonies of marriage. They cannot appeal to the court to punish the girl for disobedience. 554

In some instances pressure is put on a man by a woman's kin to force him into marrying her. If a woman bears a pre-marital child, and it is known that the genitor is an important man or chief, her kinsfolk begin to adopt towards the genitor's family the patterns of respect and avoidance which would be appropriate if he were their affine. This procedure may be adopted although it is plain to people in general that the genitor has no intention of marrying the woman. If it is unsuccessful in forcing the hand of the genitor, the formal attitudes of the woman's kinsfolk come to be generally ridiculed and they abandon the pretence. [illegible]

So far we have considered only the attitude of kinsfolk towards a proposed marriage and the legalization payment associated with it. The factors influencing the acceptance or refusal of bridewealth are different. Bridewealth, when offered, is not often refused. Table V shows that in our sample this happened in only one out of 300 marriages. We must remember that bridewealth is paid only in about four per cent of all marriages, and that a man is usually on good terms with his affines and has lived in peace for many years with his wife before he offers it. A youngish man may seek the 553

593 approval of his father before he offers, and as in the case of *Amos and Eva* (p. 39), the father may sometimes disapprove. If the man is from another part of the territory or from abroad the parents of
593 the woman, even if they accept the legalization payment, may be
603 reluctant to allow their grandchildren to go a long way away from them to live among their son-in-law's kin. This consideration applies
593 particularly to strangers in the township who marry Ngoni women. When they leave their jobs or retire they try to take their wives and children with them. They may be frustrated in the removal of their children by the woman's parents, who refuse the bridewealth. The courts support the claims of Ngoni grandparents for the retention of their grandchildren under these conditions and a returning Yao or Cipeta man may be forced to travel without his children and sometimes without his wife. I have recorded elsewhere[9] an incident in which a Yao man who had been married to an Ngoni woman for twenty-one years was divorced by her and his offer of bridewealth refused by her parents. The police who check the movements of women and children by bus and lorry away from Fort Jameson are in touch with the Native Courts and may be on the look out if it seems likely that a man from a strange tribe will attempt to smuggle his wife and children away from their Ngoni kin.

591 Thus we see that the kinsfolk are directly concerned with marriage. When the children are still toddlers, they are paired off in fun by their
[584] adult relatives as they sit playing. For a week or month or even longer a woman will laughingly call her neighbour *child's parent-in-law* because their children have been nominated *husband* and *wife* in this way. As a child grows older, so the interest of its relatives in its marriage becomes clearer. Before marriage the relatives of a
584 girl hold rights in her that are violated if she is seduced and bears
841 a child. It is to them that the girl's lover pays the beast of seduction to recompense them for the wrong he has done by impregnating the girl, but he does not gain custody of the child. On the other hand,
836 no one brings a case against a man merely because he sleeps with an unmarried girl. It is only when she becomes pregnant that an action can be laid against him. A man caught *in flagrante delicto* by one of the unmarried girl's kin can expect abuse and possibly blows but unless he is provocative he need not fear action in the courts. The hostility directed towards him seems to be due in part to his having behaved so indiscreetly as to be caught and having forced the girl's kin to take cognisance of what was happening.

At marriage the woman's kin grant rights in her sexual activities
581 to her husband. These rights are unambiguously transferred by the
583 legalization payment, and the woman's kin are therefore in a position to delay or facilitate the transfer of these rights by their attitude towards the payment. There is no corresponding right in an unmarried man held by his kin, and at marriage there is no corres-

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[9] Barnes, op. cit. p. 236

pending payment through which they can attempt to control the relationship between the couple. For both groups of kin are interested in the successful outcome of the marriage, and therefore attempt to influence the choice of marriage partner. [illegible]

3. *Formal interaction*

In the formal negotiations that precede a marriage, and in the ceremonies that mark its stages of development, the kinsfolk are always involved. [illegible] The married couple depend on their kin for economic assistance, and are under obligations to help their kin. The place of residence of the couple is determined by the disposition of their kin in different villages. If the man is a labour migrant his interests are represented by his rural kinsfolk. In general it is the fathers of the couple who are most directly concerned, if they are available, but in all Ngoni situations in which a man (or woman) appeals to his kin for support there are no hard and fast rules about the genealogical positions his supporters should occupy. If a man's father is old he turns to his elder brother. If his genealogically close kinsmen live far away, he turns to those who live nearer although they may be further removed from him in genealogical terms. If there is no male kinsman available he may seek the support of an old kinswoman.

The formal situations which require the co-operation of kinsfolk [illegible] are the matchmaking, the gall bladder ceremony (which we may perhaps regard as the wedding), the ceremony of first cooking, the [illegible] hoeing party, the announcement of first pregnancy, the carrying of beer and the entry into the wife's mother's hut. Betrothal is [illegible] another formal situation requiring the presence of the woman's kin, but as nowadays very few girls are betrothed, we shall omit this from our analysis. It will be recalled that even in the old days betrothal applied only to girls under puberty and that a girl who reached puberty without becoming betrothed proceeded to marriage without passing through any intermediate stage. The matchmaking, at which the marriage is arranged, is carried on in a formal manner but there is little ceremonial. The carrying of beer is a visit from one group to the other that can be repeated as many times as they wish, but all the other ceremonies occur but once in a marriage, if they occur at all. The hoeing party has a certain economic value but the other ceremonies are largely symbolic in content. As with the [591] marriage payments, the marriage ceremonials can all be dispensed with and yet there be a marriage which to all intents and purposes is valid. What cannot be omitted so easily from a marriage are the patterns of respect and avoidance between the couple and their [illegible] affines, particularly between a man and his wife's mother. Even here, however, there is some variation in practice.

The usual procedure in matchmaking is that first the man and the 584 woman agree between themselves that they will get married. They reach this agreement in secret without reference to their kinsfolk

584 or friends. If the man is away working or in the Army he may make his proposal by letter. When agreement has been reached negotiations can proceed although they are carried on as if there had been no prior agreement and the proposal was entirely a new one.

A man tells his eldest brother of his intention to marry, or, if he is the eldest son, he may approach his father direct. He does not [593] speak to his mother about this matter, for a man does not confide in his mother about anything connected with sex, but she is told of his intention by her husband. A man ought to tell his grand- [603] mother at an early stage, particularly the grandmother who reared him. A woman tells her sisters and her grandmother, and her eldest sister will tell her eldest brother. The man's father or eldest brother may decide on who shall act as intermediaries in the matchmaking, or else the man may himself ask important people in the village to act. There is no definite rule as to who they should be, and either men or women or both may make up the party. Usually two or three people go, and a man will try and choose people who are reliable and older and tactful. Marriage intermediaries do not have the [141] same important responsibilities for the marriage as do the marriage sureties (or witnesses) among the Nyanja and Yao although they are known by the same term.[9] The intermediaries go to the woman's village and consult her senior relatives. Traditionally they should go to the woman's grandmother, either her father's mother or her mother's mother, depending on who lives in the village and who is the more important. They tell her that they have heard that such-and-such a marriage has been contemplated. The girl's grandmother tells he girl's father that the intermediaries have come, and if nothing has arisen to jeopardise the marriage, the visiting party are told that all is well and that they must come back again. They return to their own village, and the next day, or the next week if it is a long way to walk, they go again, bringing with them a gift or some- [583] times the legalization payment. The gift or money is handed to the person leading the negotiations on the woman's side who passes it on to the woman's father. Arrangements are made about the gall bladder ceremony and a date fixed. The intermediaries then go back to their village.

585 At the gall bladder ceremony the bride receives formal advice [591] from her affines and the people in their village. Shortly afterwards she begins to live with her husband in either his or her village. If they live virilocally she does not at first cook for her husband, but the couple rely on food prepared by his other wives or his mother or [593] grandmother. It may be up to a year later that the woman first cooks for her husband and husband's father, the latter commenting 843 on her cooking. When she first becomes pregnant she is anointed by her husband's grandmother, and goes with a young girl from her husband's kinsfolk to announce her pregnancy to her own kin.

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[9] Nkhoswe.

At the hoeing party, her husband goes with kinsfolk and neighbours to work in the garden of her mother for a day and they are rewarded by her father. In the carrying of beer, a party of women from the wife's village carry beer brewed by her mother to her husband's father, who rewards them. At the final ceremony of entering the wife's mother's hut, a party of men and women from the man's village go to the woman's parents' village and are entertained by them. The husband enters his mother-in-law's hut, a woman from his village eats together from the same spoon with a woman from the wife's village, and his parents sit with her parents and discuss the marriage of their children.[6] It will be noted that these ceremonies are similar to those mentioned in connection with marriage in 'the time of peace'[7] except that what was formerly a distinct rite, at which a man ate with his wife's mother, has now become part of the ceremony of entering her hut.

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All these ceremonies can be omitted, and the man and woman will be validly married to each other. It often happens that a woman dies before her daughter's husband has entered her hut, and in this ceremony no one can act as a substitute for her. If a man's parents-in-law die soon after his marriage, he will never receive beer from them, while even if they remain alive but live far away, the ceremony may never be performed. If a man quarrels with his parents-in-law, they may decide not to send him beer though he is living near them. A migrant labourer who returns home for a short holiday of a month or so may not feel inclined to get up a party to work in his wife's mother's garden. Marriages often begin in Southern Rhodesia, and it is only when a couple come home, sometimes with children, that the man initiates the formal approach to his wife's parents and makes the offer of the legalisation payment. In a marriage of this kind it is too late to hold the gall bladder ceremony, and it is never performed. If a man acquiesces without enthusiasm in the marriage of his son to a girl of whom he does not really approve, he may not go to the trouble of arranging the gall bladder ceremony for her and the couple begin their married life together in the village of one of them without any ceremony at all. The absence of these ceremonies, even less than the absence of marriage payments, does not invalidate the legal rights of husband and wife. It does, however, mean that they are less sure of the informal support of their kinsmen. The kinsfolk express their participation in the marriage of the couple by these formalised patterns of behaviour. Their interests in the marriage may remain without this formal articulation with it, and the interests may find expression in other ways, as by intervention in quarrels, support in litigation, care of children, visits, and so on. Ngoni believe that the

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[6] See Appendices for accounts of the formal procedures at the marriage ceremonies.

[7] See above, p. 9.

606 good man behaves towards his father-in-law with obedience and respect, and that he is rewarded by the gifts of beer sent to his father by his wife's father. If these gifts are not made, then the man must be 'bad' or his father-in-law 'fierce' or 'cruel'.

587 584 There is one type of marriage in which none of these ceremonies are performed. This is what is known as the 'poorly fixed marriage'* which lies on the borderland between marriage and concubinage. People do not expect a 'poorly fixed' marriage to last long, and this expectation is based more on their estimation of the characters of the couple involved than on a consideration of the absence of marriage ceremonies and payments. If a couple, who have shown by their general behaviour that they are fickle and quarrelsome, begin to live together without going through any of the formalities of marriage, people speak of their marriage as 'poorly fixed'. If the union breaks up there is no divorce procedure and the couple merely go their own separate ways. The categorisation 'poorly fixed' is not applied to all marriages in which there are no marriage [583] payments, for poverty is usually regarded as a valid excuse for not offering money or animals or for not brewing beer. It is rather poverty of character and love of promiscuity and fickleness that lead to 'poorly fixed' marriages.

581 Sometimes a marriage which begins as 'poorly fixed' lasts for some time and becomes accepted as a proper marriage. An example of this is the marriage of Rachel and Esau (p. [illegible]). In 1946 I was told this was a 'poorly fixed' marriage and that it would not last. In 1949 opinion had changed, and as we have seen, Esau succeeded in making the legalisation payment for his wife. Even if his money had been refused his position would still have been better than it was in 1946 for he had shown that he could live with Rachel for three years without an undue amount of quarrelling and she had not drifted off to some other man. By making the legalisation payment [583] Esau made his rights over her more certain.

People who live in 'poorly fixed' marriages are not despised for [584] doing so, but are rather pitied for their moral inability to make a 'well fixed' marriage. They are never so sure of the support of their relatives and neighbours as they would be otherwise. A man who 586 has not made the legalisation payment may be supported by his wife's relatives when she commits adultery if they think that he is a good husband and that it is she who is at fault in the matter. But if a man neglects his obligations towards his wife's parents and [604] in particular does not approach them formally at the beginning of the marriage to tell them of his desire to marry their daughter, they may turn on him if he tries to exercise rights over the woman. In court, the wife's father may look at his son-in-law, who perhaps has been his neighbour for many years, and say 'Who is this man? We do not know him'; and the court will refuse to recognise his claims.

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* *Ukwati [illegible].*

claims. In retrospect, when discussing an erstwhile 'poorly fixed' marriage that has broken up, people will say 'That was not a proper marriage', and 'She was just his friend'. In all the tables we have excluded 'poorly fixed' marriages from consideration.

The initiative in strengthening a 'poorly fixed' marriage lies with the man and not with the woman's relatives. If their daughter is living with a man who has not made the legalization payment they cannot bring him to court and force him to pay. If their daughter has only just passed puberty there may be grounds for an abduction suit, but if she has been married before or is considered old enough to decide for herself, her relatives are unlikely to take any action in the courts against her husband. The woman cannot be forced to return to her own people. Similarly if no bridewealth has been paid, the children cannot be forced to live in one village rather than in the other. They can be asked to do so, but they cannot be taken to court if they refuse.

All 'poorly fixed' marriages are marriages without payments, but not all marriages without payment are 'poorly fixed'. It will be seen from Table XIII that no payments at all have been offered in about a third of the marriages in our sample. In some of the marriages for which there have been offers of payment, these consist only of the small present given as 'snuff-box'[9] in modern marriage. Yet these marriages are valid despite the paucity or absence of payment. Many of them have lasted for a long time and the lack of payment is almost forgotten. It would be an act of maliciousness on the part of the woman's relatives if after twenty years of happy married life they began to remind her husband that he had not yet made the legalization payment. With the increasing importance of marriage certificates on which the legalization payment is recorded, and the rise in power of the Native Authority, the position may well change in years to come. At present, most marriages without payments are more like marriages with payment than they are like the unions of men with concubines and prostitutes. The persevering inquirer may unearth the lack of payments, but in the day-to-day life of the village, as well as in many of the formal situations of marriage, this lack is not significant. In the work of the garden, in the sharing of food, on festive occasions when there is beer and dancing, there is no distinction between wives married in one way or the other. More significantly, we find instances where despite the absence of any payments, beer has been brewed for a daughter's husband and he has been invited to go through the ceremony of 'entering the wife's mother's hut'. Some marriages are solemnized in church, with the approval of the parents on both sides, without any payments being made. The rules of avoidance between a man and his wife's mother operate independently of the marriage payments, and widows are subject to the same restrictions

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[9] *Mfuko, camalomo, camalomalomo.* See above, p. 39, n. 18.

581 583 (865) [illegible] without any [illegible] to the [illegible], and wear the same signs of mourning whether or not their deceased husbands made any payments. The absence of payments does not automatically deny to a man and woman the status of husband and wife any more than the completed payments automatically ensure marital happiness.

585 581 595 As reflected in Table XII, the proportion of marriages in which no payments are offered has decreased in the last twelve years, and we know from Table VIII that this is due to an increase in the number of marriages in which the legalization payment is made. It is therefore possible in future there will be a clearer division between marriage, with its legalization payment, and concubinage, with no such payment and with a completely different relationship between the sexual partners and between their respective groups of relatives. We are not in this paper concerned specifically with concubinage and prostitution, but it may at this point be useful to point out that not many women are concubines. In our sample, as set out in Table IV, there was only one concubine, a wedded woman, among 289 wedded women. From Table III, we see that there were no men at all, in our sample of 198 wedded men, living with concubines. The paramour of the concubine in our sample was resident on a nearby farm, and so did not come into the sample of men.

6. *Co-operation between affines*

573 585 The payments and ceremonies of marriages are isolated and memorable events. The ceremonies are public in that neighbours

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Table XII. Incidence of marriage without payment, by decades

Marriage payments	Date of marriage									Total
	1878-87	1888-97	1898-1907	1908-17	1918-27	1928-37	1938-47	1948-9	Not known	
At least one payment offered	1	6	17	27	38	34	86	14	5	228
None offered ..	–	7	11	14	26	24	29	3	3	117
Ratio of marriages without offer of payment to total	0%	54%	39%	34%	41%	41%	25%	18%	—	34%
Not known if any payments offered	1	3	6	6	12	11	16	7	2	64
Grand total ..	2	16	34	47	76	69	131	24	10	409

Informants as in Table VIII

6: Barnes E-5 (1946-1949)1951: FRS Ngoni FRS
Mpezeni
Marry: FRS

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see them and to a large extent participate in them, joining in the dancing and drinking, giving presents and advice to the bride, and so on. Less spectacular are the continual patterns of interaction between a man and his affines arising from his partial dependence on them and his obligations towards them as expressed in everyday life. A man must avoid his mother-in-law and help his father-in-law with garden work, and if he is living uxorilocally he may be dependent on his affines for food and housing. If they move from one village to another he moves with them.

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Avoidance is most marked between a man and his wife's mother. He must not speak to her, sit near her, pass in front of or enter her hut, and he should endeavour not to meet her on the path. Above all he must never sit on her mat, for sitting on a woman's mat is regarded as symbolically equivalent to sleeping with her. To a lesser extent a man must avoid his father-in-law, but it is not considered wrong for a man to sit at one end of a verandah while his father-in-law sits at the other. They can talk to each other if necessary. A woman is comparatively free with her parents-in-law and does not avoid their hut. The formalities of relationship between a man and his parents-in-law begin when he starts to negotiate his marriage, or earlier if their daughter is betrothed to him while she is still a child. With the passage of time a man avoids his mother-in-law less, and after the ceremony of entering her hut he can sit and chat to her. Even then it is still considered shameful for him to sit on her mat.

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The Ngoni regard uxorilocal residence as part of the obligation a man has towards his wife's parents. Many couples spend their whole married life virilocally and others live permanently in uxorilocal marriage, but in describing where a couple ought to live, Ngoni speak always in virilocal terms. We have seen that in the old days virilocal residence was the rule but that a man might live uxorilocally for a while at the beginning of his first marriage after paying 'small-hoe' until he paid bridewealth (p. 8). The Cewa lived uxorilocally, but it was possible for a Cewa man to make a small payment some years after marriage permitting him to take his wife to his own village. Nowadays among the Ngoni some men, but not all, begin their marriages uxorilocally. A man may do so either because he finds it more convenient, due to lack of suitable accommodation in his own village, quarrels with his kin or shortage of food, or else because he is made to do so by his parents-in-law. A parent who does not approve of his (or her) daughter's suitor may accept the young man on condition that the couple live under his eye for a while so that he can assure himself that his daughter will be well treated by her husband. Sometimes it is said that a man who has not yet made the legalization payment must live uxorilocally until he can find the money, but this is not always done and some couples whose marriages are only 'poorly fixed' live virilocally.

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The proportion of couples who live virilocally varies from one village to another.

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128 village to another. An indication of the relative frequency with which different types of marriage residence occur is given by Table XIII. This table is based on all the extant marriages involving the 90 married men whose wives were known and the 175 married women, as shown in Tables III and IV. A distinction is made in Table XIII between those marriages in which the man lived with his wife or in a village near her and those in which the man was effectively absent.

We may now assess the relative frequency of virilocal and uxorilocal residence by extracting those marriages falling into either one or other of these residential categories and by then dividing the number of virilocal contracts by the number of uxorilocal. This is done in Table XIV.

591 It will be seen that although there were three marriages in which both spouses lived virilocally for every one in which they both lived uxorilocally, this preponderance of virilocality was reversed in those marriages in which the man was absent. There were approximately three wives who lived uxorilocally while their husbands were away for every two who lived virilocally. This difference between the ratios in the two parts of the sample is not likely to have arisen as a chance result and may be regarded as definitely associated with the whereabouts of the husband.

On the basis of these figures we may continue to call the Ngoni a virilocal rather than an uxorilocal people, but it is evident from the last column of Table XIII that virilocal marriages amount to slightly less than half (47·3 per cent) of all extant marriages. It should also be remembered that by no means all of the couples we have classified as virilocal were living in the village of the man's father. We have included in this category all marriages in which the man had definitely stronger ties to the other inhabitants of their village [28] than had his wife. Our definition of the uxorilocal category is similar and not all uxorilocal couples were living in the woman's mother's village.* A more detailed examination of the frequencies with which these different kinds of marriage residence occur will be attempted elsewhere.

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423 We have already noted that a man who goes to live in the village of his bride takes on the care of her garden and works in it with her. The produce of the garden is pooled with whoever was looking after the bride, and the young couple draw their food from this common store.* A man who does not intend to stay long in his wife's village will usually try to keep his own garden under cultivation near his own village and when he takes his wife back to his village he reverts to his own garden as his main source of supply. If the two villages are a long way apart this may not be practicable, or the man may find it irksome to keep two gardens going, and may lend his own to someone else on the understanding that he will be wanting it back

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* See below, pp. 75f.
* See above, p. 42.

[TEXT CONTINUES ON P. 74--ANALYST]

Table XXII. Residence of husband and wife, 1948-9

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Wife's residence	Husband's residence		Total
	Rural	Away	
Intra-village	[illegible]	[illegible]	[illegible]
Virilocal	[illegible]	[illegible]	47·0% [illegible]
Uxorilocal	17·4% [illegible]	43% [illegible]	[illegible]
Neither related ..	[illegible]	[illegible]	1·1% [illegible]
Separated	[illegible]	—	3·8% [illegible]
Total	100·0% (139)	100% (46)	100·0% (185)

Legend

Rural	Husband living in a village within thirty miles of his wife, either permanently or part-time.
Away	Husband living permanently on a farm, in Fort Jameson township or more than thirty miles away from his wife.
Intra-village	Wife living in a village to which both she and her husband belong.
Virilocal	Wife living in her husband's village which is not her own village.
Uxorilocal	Wife living in her own village which is not her husband's village.
Neither related	Wife living in a village to which neither she nor her husband belong.
Separated	Wife and husband living in different villages and separated from each other.

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Informants		Used	Potential	% Used
	Men	98	108	91
	Women	175	175	100
	Total	273	283	96

Number of marriages in which both partners were informants 110

591 after a year or so. If he keeps it going himself he visits his own
241 village for a week or two at a time to tend the garden, and stores the
423 produce with a relative in the village. If, however, a man intends to
reside for many years in his wife's village, he gives away his garden
and concentrates his labours in his wife's garden. After a year
[343] or two he builds her a storehouse in her village and the couple begin
to keep their own supplies separate from those of her relatives.

Even when the couple have their own storehouse it is considered
431 proper if from time to time they are given maize by their parents.
262 If a woman living virilocally goes to visit her parents and relatives
and returns without maize or flour her husband's relatives are likely
to laugh at her and say 'She must come from a very poor family'.

591 Uxorilocal residence is described by the vernacular term *cikomwene*.
In its most general usage this word refers to the obligations a man
606 owes to his wife's parents, particularly at the beginning of his
marriage. It has three specific meanings:

- (i) Uxorilocal residence.
- (ii) Assistance rendered from time to time by a man in his wife's mother's garden.
- (iii) A hoeing party of men and women from the man's village which works in his wife's mother's garden.

Uxorilocal residence is classed with these other two aspects of affinal obligation and like them it can be avoided completely, shirked, or executed in full. The extent to which the obligations are fulfilled

Table XIV. Virilocality and Uxorilocality, 1948-9

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Wife's residence	Husband's residence		Total
	Rural	Away	
Virilocal ..	72	14	86
Uxorilocal ..	24	20	44
Total	96	34	130
Ratio of virilocal to uxorilocal wives	3	0·7	1·95

Association between husband's residence and wife's residence

$X^2 = 12{\cdot}83$ $P < {\cdot}001$

Informants as in Table XIII

depends as much on the compliance of the man as on the insistence of his father-in-law. 591 606

A payment[10] of about five shillings is sometimes made by a man to his wife's father enabling him to take his wife to his own village. This is made either at the beginning of the marriage or after one or two years of uxorilocal residence, but in some marriages the payment is never made at all, and in some villages even the vernacular term is unknown. In those villages where the payment is recognized there is no consensus of opinion as to the rights granted by it. Some people hold that the payment is equivalent to a year or two of uxorilocal residence, and that, therefore, the money should be offered when the marriage is arranged, so that it may be begun virilocally. They go on to say that when a man has completed his period of uxorilocal residence, he is free to take his wife to his own village without making this payment. Other people say that a man ought to remain living uxorilocally until he makes this payment, which should therefore be done a year or so after marriage, or at some time later when the man wishes to move. Where the payment is not recognized, people either say that a man ought to live uxorilocally for a while and cannot buy himself out of this obligation, or else assert that the Ngoni, unlike the Cewa, do not marry uxorilocally and that the legalization payment allows a man to take a bride to his village as soon as he chooses. There is a wide variation in the norms held, or at least expressed, on this matter and an equally wide variation in actual behaviour. Men select their course of action by reference to the total situation in which they find themselves when they marry. A man may try to enforce one rule on one son-in-law and another rule on another. I observed one extreme case in which a man allowed one of his daughters, married to a man from her own village, to move to her husband's cluster after only a few months of uxorilocal residence in his own cluster. At the same time he would not allow another daughter to move to her husband's village after four years of uxorilocal residence, despite the offer of ten shillings payment to him. He approved of the first son-in-law while disliking the second, who had failed to report to him when his daughter first became pregnant. 583 591

We have talked of the man's village and the woman's village. It is perhaps necessary to stress that what is meant by, say, the man's village is a village to which the man's ties are stronger than those of his wife. It is likely to be a village where some relative of his is living, but the relative may be his father or his mother or his father's mother or his mother's father or some more distant connexion. Sometimes a man goes to live in his first wife's village and then brings in his second wife. The second wife is then said to be living virilocally, in the village of her husband rather than in her own, although the man is himself living in his first wife's village, 591 602

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[10] *Nthakula*. Cf. Barnes, op. cit. p. 229

591 that is, in uxorilocal marriage. In the man's village there are likely
to be relatives of his wife already established, but it is she who is
602 said to 'follow' her husband to the village and not he who 'follows'
her, since his ties to the village, and to the cluster in the village
within which they set up their household, are stronger than hers.
Similarly a man may have relatives of his own living in his wife's
village and yet be spoken of as living uxorilocally. If a woman's
father is living in her village, he will be the focus of her husband's
obligations. But if he lives a long way away and the woman has
been dependent on her grandparents, or on her mother's brother,
then it is they who will act towards her husband to some extent in
[606] the role of substitute parents-in-law. However, a man does not
avoid his substitute mother-in-law as thoroughly as he would his
wife's own mother.

606 583 The obligation on a man to help his wife's parents in their garden is expressed in two ways. Once during the marriage the man must provide a party of people to hoe for the greater part of one day in his wife's mother's garden. He must also be prepared to work in this garden from time to time when he is called upon, and his wife may work with him. While the labour given by the man and his wife is useful labour, the work done by the hoeing party is only partly useful and may do more damage than good. The procedure is that the man, or a relative of his, tells his father-in-law that he proposes to bring a party to hoe on such-and-such a day. By agreeing to this the father-in-law tacitly agrees also to provide the party with beer and presents. On the appointed day, early in the morning, the party arrives and begins work. When the father-in-law thinks the work has gone on long enough, he sends an intermediary to offer a present to the leader of the hoers. If the present is considered sufficient the party stops hoeing and returns to the father-in-law's village. If not, it continues to hoe with renewed vigour. At intervals the father-in-law sends intermediaries with higher and higher offers until at last the hoers are satisfied or exhausted and they come into the village to collect their presents and beer. As often as not the hoers try to force the father-in-law to offer a present at the limit of his resources, for example a beast, and, as the offers mount, the workers become more and more excited and their hoeing less and less useful. At the end of a day, with the light failing, physically exhausted hoers begin to root up the maize with the weeds, and the mother-in-law's garden may be seriously damaged. If the father-in-law is obstinate and does not offer them what they want the hoers may spend the night sleeping out in the garden. By the next morning everyone is too tired to continue the matter further, and the party disperses.[11]

[154] This sort of hoeing party may not facilitate the cultivation of good maize but it is of great significance to the married couple and the

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[11] See Appendix III for an account of two of these parties.

two groups of relatives. In the partial destruction of the father-in-law's crop by the man's friends, the latent hostility between the two groups is canalized into a form that is just socially acceptable. In the later stages of hoeing the men and women in the party act wildly, dance round and round anyone who tries to interfere with them and throw earth all over them. At first all contact between the father-in-law and the leader of the party is through intermediaries, and if all goes well, and there is no crisis, the father-in-law will always remain in the background. But with rising tempers the tension increases, and the father-in-law may himself go to cajole and threaten the party. When they do decide to stop and go into the village, an attempt is made to establish peaceful relations again, and the leader of the party begins to protest that they never really intended holding out for such a large present, that they knew it was getting dark and that they could not hoe at night. They settle down to drink the beer provided by the father-in-law and in the morning go back to their own village. It is significant that the man himself cannot be the leader of the party, so that he does not come into direct contact with his father-in-law. He shelters behind the party leader, so that the chances of an open breach between him and his father-in-law are lessened. 606 583 154

The formalized expression of hostility, which is a feature of many Ngoni ceremonials,[12] appears most clearly in marriage in the custom of the hoeing party, but is present in some other situations, as in the instruction of the bride at the gall bladder ceremony, when she is sometimes told she has a bad character, is mean and deceitful. Even the carrying of beer can be used to express hostility, as is indicated by Reuben's remark towards the end of his son-in-law's hoeing party, that he would tell his wife to brew beer and send it to his son-in-law's village, where the women bringing beer would demand a present even greater than the one demanded by the leader of the hoers.[13]

Men and women wish their daughters to bear children, and are reluctant to marry them to impotent men. Yet childbirth is hazardous, and a woman may die in labour because of her adultery or the adultery of her husband. It is important, therefore, that a woman's parents should be informed whenever she becomes pregnant, lest the woman die and her parents hear of her death without being forewarned of the danger. It is not sufficient that the woman's parents should hear from others that their daughter is pregnant. She must go to them on a special visit to tell them the news herself. This formal notification takes place every time she is pregnant, but if, when she becomes pregnant for the first time, she is living in 842 844 843

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[12] For another example, see the installation of the headman's deputy described in Gluckman, Mitchell and Barnes, 'The village headman in British Central Africa', *Africa*, xix (1949), pp. 100-106.

[13] See Appendix III, p. 131.

843 her husband's village, the occasion must be recognized in a more elaborate manner. Her husband or his relatives buy her a new cloth. Wearing this cloth she stands at the door of her husband's hut, and is undressed by her husband's grandmother. The old woman rubs castor oil on her abdomen and dresses her again. A small girl from her husband's kin goes with her to her own village, and their arrival there, with the woman dressed in her new cloth, indicates formally to her parents that she is pregnant. They stay at the woman's village for about a week, and then return to her husband's village.[14] Her parents have thus been made socially aware of her pregnancy, and the man can legitimately look to them for help if she becomes ill or fractious.

844 761 606 684 If the woman does die in childbirth, her husband has to offer a beast to her parents even though they were told of her pregnancy.[15] The husband may confess to adultery when called upon to do so by the midwife, but this does not absolve him from the obligation to pay the beast. Confession absolves him from the charge of having caused the death of his wife by his careless behaviour, but he must still recompense his parents-in-law for the death of their daughter. It is recognized that a woman may die in childbirth despite the absence of adultery during pregnancy or despite full confession of adultery by both the woman and her husband. She dies just because God lets her die, and not because of any human misconduct. Yet she reaches the situation in which there is the danger of death because of her position as the wife of her husband. It is the 'work' of married women to bear children, and it is the 'work' of the husband if his wife dies in childbirth to offer a beast to her parents so that they may mourn their daughter.

5. *Quarrels*

581 We see then that a woman is not severed utterly from her own group when she marries, but that her kinsfolk retain an interest in her welfare and have certain rights in her and in her husband. The recognition of these rights by their son-in-law increases his esteem in their eyes, and enables him to appeal to them with confidence when he needs their support. The common interest of all is in the successful maintenance of the marriage, and the mutual recognition of rights and fulfilment of obligations consolidate the social relationships established between people related by marriage. 578 602 Quarrels threaten the continued existence of the marriage, and it is therefore in the common interest that they should be settled as expeditiously as possible. The intervention of affines in a personal quarrel between husband and wife is characteristic of a system in which most neighbours are kinsfolk and in which the spatial concentration of people into compact villages, where abuse shouted at one

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[14] This ceremony is called *ngayi*, which means 'breast-cloth' in Nsenga.

[15] See above, pp. 39f.

end of the village can be heard at the other, ensures that all quarrels 578
soon become public knowledge. The quarrels of any members of 602
the village are known to, and in greater or lesser degree are the concern of, everyone else in the village. Beyond the confines of the village, kinsfolk living in neighbouring villages can soon be called in and in any case soon come to hear of a serious dispute. In a quarrel between man and wife there are certain restrictions on the extent to which affines can intervene, and there are certain regularities in the way in which they are brought into the ambit of the quarrel.

When a woman has a serious quarrel with her husband, she runs away. If the couple are living uxorilocally she may not go very far, and may take shelter with a friend or relative at the other end of the village but the consequences are much the same as if she had gone off to a kinsman several miles away. As a woman flees from the anger of one relative by seeking refuge with another or with her affines, so she flees from her husband to the shelter of a kinsman or kinswoman. Occasionally a woman will go to someone to whom she is bound only by bonds of quasi-kinship, as for example to a former playmate or school friend whom she addresses by a kinship term, but this is not common. If her husband makes no effort to persuade her to return, it is assumed that he does not want her back and that he is trying to trap her into committing adultery. A woman can [586] sue for divorce if her husband has allowed her to stay away after a quarrel and has not tried to get her back again.

Case history 8

Abner was married to Esther and had paid the legalization payment. Abner suspected her of copulating with another man in the village and fought her. He then told her he was contemplating taking another wife. Esther ran off to her father's village about eight miles away and stayed there five months. Abner did not come to see her and she complained to the court. Abner was asked in court why he did not go to visit Esther and replied that he had had no time to do so as he had been ill. Esther said that Abner always suspected her of being a prostitute, but she wanted Abner as her husband; the trouble was that Abner did not want her or else he would have followed her to her village. The court agreed that Abner did not want Esther as a wife and was merely setting a trap for her, hoping to get damages for adultery when Esther had been left alone a long time. Abner was ordered to divorce his wife. He refused to do so, saying that he still liked her. Esther said that if Abner still wanted her he must come and live with her in her father's village where her father could see how he looked after her. Abner refused to go and live there. The court then divorced Esther without awarding any damages to Abner.

The correct behaviour for a husband when he finds that his wife has run away is to inquire from her friends in the village where she has gone, and then to hurry after her himself. It would not be considered right for him to send an intermediary; he must himself go and apologize. Arriving at the hut of the relative with whom his wife is sheltering, he does not speak to his wife but first asks the relative to intercede with her. They discuss the cause of the quarrel, and if it can be settled easily, as for instance when the man admits

578 that he was drunk when he quarrelled with his wife and did not 602 mean what he said, the woman may agree to return. If she is adamant, or if a serious issue such as cruelty or adultery is involved, a formal discussion is held in the village of one or the other. Relatives come from both sides and a man of senior status convenes the meeting.[18] Sometimes it may be agreed that the offending spouse must pay nominal damages to the other. The usual procedure is to offer a chicken to the other, but sometimes a few shillings are given instead. If agreement cannot be reached at a meeting like this, the matter can either be referred to the court, or else the issue of the quarrel may be left unresolved in the hope that at some later date a solution may be possible. While the initiative in holding a village meeting lies with the senior relatives of the [699] couple, the only people who can take the matter to the court are the couple themselves. A father may sometimes handle the formalities of laying a case against his son-in-law on his daughter's behalf but it would be difficult for him to do so without her co-operation, and, on the man's side, it is only he and not his father or brother who can effectively sue his wife.

The interests of the two groups of relatives are centred on the successful maintenance of the marriage. It is considered more important that people should live together in peace without quarrelling than that the exact rights of one side or the other, even where these rights can be defined precisely, should be upheld. [684] A man who commits adultery may be censured by his father, who will perhaps refuse to speak to his son if he thinks that the stability of his son's marriage is threatened, even though it is admitted that the man's wife has no legal right to object to her husband's adultery. When there has been a quarrel people do not rush to hold a village meeting since, by doing so, the existence of the quarrel is formally recognized and its seriousness increased. It is better if possible to get the couple to 'change their character', that is, to become reconciled to each other on their own account. Until the woman's sudden departure indicates to the world that they have quarrelled, relatives are reluctant to interfere between man and wife. People gossip about the quarrels of married couples, but even their close kinsmen will hedge and say that these affairs are not their responsibility if pressed for an opinion. The action of the wife in running away is the mechanism by which she begins her appeal to her relatives for support, and she carries it a stage further by refusing to accept her husband's apologies. Finally if the settlement proposed at the meeting is not acceptable she appeals to the court. Men do not run away to their kinsmen and do not rely on relatives to the same extent as do their wives. Yet a man can if he wishes

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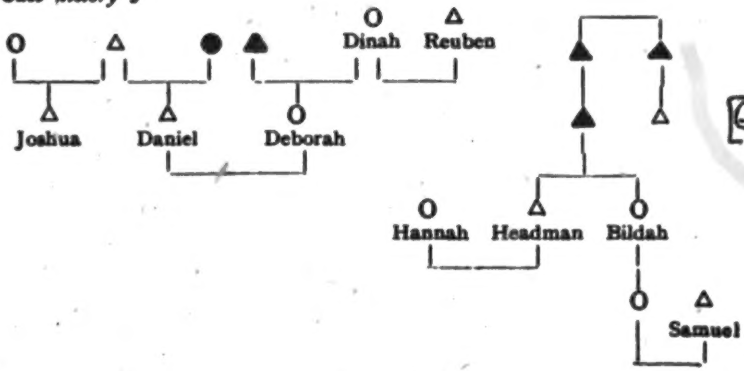
[192] [18] *Tanda.* This word is used of any formal meeting in a village to settle a quarrel, matrimonial or otherwise, before the issue is referred to the court. Cf. Nsenga *ku-tandala*, to talk or discuss.

precipitate an open quarrel by staying away from his wife, by eating elsewhere or by threatening divorce. Fights in the village, provided the parties concerned do not hurry off to court, are dealt with first at a village meeting, and even where the combatants are not man and wife, the elucidation of the cause of the fight may bring to light a latent marital quarrel which must then be dealt with by the relatives. Accusations of adultery must be denied, and a woman may call in her relatives to protect her from the slander of a jealous woman. 578 602

The processes by which a quarrel between man and wife comes to light, and the attempts of kinsfolk to resolve the quarrel, are well illustrated by the following account of an adulterous wife. 578 602 159

Case history 9



[601]

Daniel was a labour migrant in Southern Rhodesia and his wife Deborah was living meanwhile in the village of her mother's husband Reuben. The headman of this village had himself returned from the railway line a year previously. At a beer party Deborah quarrelled with Hannah the headman's wife, who accused Deborah of sleeping with the headman and who started to fight her. A meeting was held in the village to settle the affair. Deborah denied that she had ever slept with the headman and the headman denied that he had ever slept with her. Hannah retorted that she did not like to see her husband running after other women and always talking to Deborah. Reuben and a neighbour of his said that they could say nothing in the matter as Deborah was a married woman, and they called on Joshua, who was Daniel's father's son, to speak. He had come from his own village to attend the meeting. Joshua said that Hannah had not actually caught Deborah sleeping with her husband the headman, and that therefore Hannah had done wrong in accusing Deborah without good reason. Hannah had also erred in making accusations that would make Deborah's brothers-in-law think that Deborah was committing adultery. The headman had also erred and should stop talking to Deborah, or else the brothers-in-law of Deborah would take him to court for drinking beer at night with Deborah, who was a married woman.

Hannah then admitted that she had done wrong in fighting Deborah. Another man in the village, Samuel, the headman's sister's daughter's husband, spoke, and said that Hannah must offer a chicken to Deborah because if Hannah had really known that Deborah was sleeping with the headman, surely she would have seen that Deborah was taken to court.

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Hannah sent her son to catch a chicken, which was put at the feet of Samuel and a lieutenant of the village, who called on Deborah to accept it. Deborah was stopped from doing so by Reuben, who said that the village was now a bad village since the headman had returned to it, and that he did not want his daughter to accept the chicken. The chicken was released, and the meeting broke up. Reuben subsequently explained his action by saying that if he had let Deborah take the chicken, there would be hatred between Deborah and Hannah, and more quarrels would ensue. People would quarrel in the village just to get chickens.

Two months later Daniel returned from Southern Rhodesia, and Deborah went back to Daniel's village to live with him there. Soon he quarrelled with her, and accused her of committing adultery while he was away. A meeting was held at the house of Daniel's father to deal with the quarrel. Daniel said that he had brought back with him medicine which he had put under Deborah's pillow while she was asleep. Under the influence of the medicine Deborah talked in her sleep and disclosed the names of the men with whom she had slept while Daniel had been away. Daniel said that he did not like to take these men to court on the evidence of this medicine alone. Reuben, who had been called from his village to attend the meeting, said that the matter was not one in which he could act and it was up to Daniel to decide what he wanted to do, as Deborah was his wife. Daniel's father said that as Deborah had children by Daniel she ought to be forgiven and warned not to do it again. The headman of Daniel's village observed that women had been committing adultery long before there was any labour migration, and that as this was Deborah's first offence she should just be warned. Daniel said that Deborah should be warned not in his village but in her own village, and that she should be warned not by himself or his father but by her father Reuben. Daniel wrote down the names of the people he had heard mentioned by Deborah, but he did not show this list at the meeting. An informant who claimed that he saw the list said that it contained, among others, the name of the headman of Reuben's village.

A month later a meeting was held in Reuben's village to continue the discussion. Some of the important people in the village attended, but not the headman or his lieutenant. This ommission was explained by Reuben as being because all the people concerned were Christians and they must decide it among themselves without reference to the headman, a pagan. Daniel's father opened the discussions by saying that Daniel wanted to know about the adulteries of Deborah while he was away in Southern Rhodesia. Daniel then said that he wanted to take to court the people who had slept with his wife. He had found medicines in the house on his return, and these he produced as evidence. He said he had asked his wife what sort of medicines these were, and at first she had refused to tell him. He had pressed her and she had then said that some were medicines she had got from people in another country for headache, and that others were roots of love medicine she had got from other women in the village. Daniel said he did not believe his wife when she told him this, as a woman would not make love medicine if her husband were away. He had found other medicines hidden in the roof of the storehouse which Deborah had refused to explain to him.

Deborah spoke and said that she admitted sleeping with two men, Gideon and Balaam. (They were both men from other villages.) Another man from the village, the headman's father's father's brother's son, who had been invited to the meeting (but who was not a Christian) said that these people Gideon and Balaam ought to be taken to court as Daniel had suggested, for a case like this could not be settled in the village.

Daniel then went on to say that he thought his wife was pregnant and he wanted to know who had impregnated her. Deborah said that she was sure it was Gideon and Balaam who had made her pregnant. Daniel's father remarked that they had best wait before bringing a case against

> Gideon as Gideon's village was on the point of moving from one county to another and they wanted to begin the case in the right court. 578 602
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> Dinah, Deborah's mother, addressed her daughter:
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> 'My daughter, ever since I married my husband, I have never committed adultery with anyone who was not my husband, and I have never asked anyone to give me medicines so that Reuben would love me. My husband loves me because I obey him, and he looks after me well. In addition he looks after you, who are not his real daughter. Believe my words, when Reuben dies, you will not find me married to such a good husband who can look after me and all my children. I used to tell you not to drink beer all night long because your husband was away working. You did not obey me, and see now you have done wrong to both parents, your own parents and the parents of your husband. We will regard you as a bad child who has not been well instructed; and the parents of your husband will regard us as bad people for not instructing you well. Now it is up to you because you are a fully grown person.' 159
>
> Daniel's father said that the men who had made Deborah pregnant would be punished by the court, and that now Daniel and Deborah must be told to live in peace. Daniel said that he had nothing more to say as the people who had been sleeping with his wife had been identified. He would take them to court and would live peacefully with his wife. The meeting then ended.
>
> Two months later Daniel took Balaam to court, and Deborah and Balaam were each ordered to pay Daniel thirty shillings damages.

We see in this account the constant interest of the kinsfolk in maintaining the marriage. Divorce was never mentioned. Instead, Deborah was told to change her ways. Her father-in-law argued that she should be forgiven as she had already borne children to Daniel. Her mother's husband, although he was more diffident about the matter than if she had been his own daughter, tried to prevent her quarrel with Hannah from worsening when he prevented her taking the chicken offered her. Although Reuben was only her step-father Daniel considered him, rather than his own father, the proper person to deliver a reproof to Deborah.

Occasionally the aftermath of a marital quarrel is neither 586 reconciliation nor divorce but a state of affairs we may call separation. If a wife runs away, or if her husband goes off to work and avoids her on his return, there may be attempts at reconciliation which may fail or there may even be no attempts. Not every woman in this position seeks divorce. Some still hope that their husbands will return, particularly if there are growing children to be cared for, while others may be bound by the rules of their religion against divorce. If a woman is old and does not wish to take another husband, she may be disinclined to take the trouble to obtain a divorce. It will be seen from Table IV that there are only a few women in this condition. They live with their own relatives and sometimes maintain indirect contact with their husbands through their children who visit back and forth. This category of separation is applicable only where the husband is living near his wife. If a man is in Southern Rhodesia and does not write, we cannot say whether or not he is, in this sense, separated from his wife. His

586 attitude towards her can be tested only when, if ever, he returns to the rural area.

A man whose wife runs away and who will not return may likewise continue to hope that one day she will change her mind and return to him, and for this reason will not divorce her. Unlike a woman, a man in this condition does not jeopardize his chances by taking a fresh spouse, and therefore it is rare to find a man whose only wife is one separated from him. It will be seen from Table III that there were no men separated from all their wives included in the sample.

593 In both separation and in the procedure by which a man 'leaves his wife in disgust',[17] sexual intercourse ceases between the couple. In other respects the two procedures are quite distinct. When a man 'leaves his wife in disgust', he stops sleeping with her but he continues to treat her as his wife. She has her hut next to her co-wives, her husband sits on her verandah, and she can rely on his help in the garden and in the care of her children. If she is separated from him, she must fend for herself. Her status as wife is significant only in that she does not marry anyone else.

6. The absent husband

A man appeals to his kinsfolk for support, but they do not replace him in the marriage relationship. His wife is linked mystically to him but not to them, and the right of sexual access to her is held by him alone. It cannot be exercised on his behalf by his kinsmen. He takes the initiative in appealing to them in a marital dispute, and his agreement is necessary at each fresh stage of events. If, however, the man is not there, his kin act on his behalf as far as they are able.

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167 Most adult men, at some time or other, go away to work in the towns or mines. Some men take their wives with them but at any one time, as can be seen from Table IV, between a quarter and a third of all married women living in the rural area have their husbands away working either in Fort Jameson township, in the towns of Northern and Southern Rhodesia, or living permanently on the tobacco farms around Fort Jameson. When a man goes away to work, no one can tell when he will return. Some men go off and never write or come home again. Others write regularly, send home money and clothes, come home themselves for visits, and remain in close contact with those at home. Friends and relatives may give news of a long vanished migrant whom they have met in Southern Rhodesia.

For at least the first two or three years the assumption is made that a man intends to return, even if he does not write. If his wife [591] is living uxorilocally she will probably continue to do so. If she is living in her husband's village, as long as she stays there she can depend to some extent on the support of her husband's relatives, who may help her with her hut and garden, and if they are kind-hearted and have the money to spare, they may buy her clothes. The only 593 ways in which she can raise money easily for herself are by brewing 167 beer, making pots, and working on the farms. To work on a farm she must, however, remove herself from the surveillance of her husband's kin, and unless she goes to join a contingent from their village working at the farm, they may think she is running away from them to seek a lover or new husband. We have seen, however, from Table XIV that significantly more wives whose husbands [591] are away live uxorilocally.

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[17] See above, p. 41.

Many husbands write home, not only to their wives, and some remit postal orders and bank-notes. A man may get a friend who is returning from Southern Rhodesia to take home blankets and other bulky articles to be handed over to his wife. He may send presents like these direct to his wife or he may think it more prudent to send them to his father or brother and allow them to hand on to his wife as much as they think fit. The woman must then behave herself in the eyes of her affines if she wishes to receive her husband's presents. The acceptance of these gifts is taken as proof that the woman is still dependent on her husband however long he stays away. If the woman applies to the court for a divorce on the ground [586] of desertion, the presents will be cited by her husband's kinsfolk as evidence that there is no intention on his part to desert. Gluckman reports from the Lozi that even if a man sends goods, [171] after a statutory period the court will hold that 'a woman marries a man and not a blanket', that is, the husband must return to look after and sleep with his wife as well as send clothes to her. This argument is not used among the Ngoni. A woman who complains that she is not satisfied with marriage under these conditions is told to write to her absent husband and ask him for the fare to join him in Southern Rhodesia.

Case history 10

Saul was working in Nyasaland. He sent home to his wife 7*s*. 6*d*. for clothes. Later she wrote to him saying she wanted him to return. He sent her 15*s*., being 5*s*. for clothes and 10*s*. bus fare so that she could join him. She did not go and later went to the court complaining she had been deserted. [586] Her husband's relatives argued, to the satisfaction of the court, that as her husband had sent her these gifts he was still taking care of her. The court dismissed her plea as she had refused to go to Nyasaland when the fare had been sent.

The husband's relatives try to watch carefully the movements of 593 the woman so that they may prevent or at least report any adultery 167 on her part. If they are in touch with the husband, they write to 602 him should they suspect infidelity. Sometimes the husband ignores their letter, sometimes he gives them instructions how they should proceed in the matter, and sometimes he returns to the village to see for himself what is going on. He arrives without warning and hopes to catch his wife in the act. If all is well and he is satisfied that his wife has been faithful he usually goes back to work again.

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Some men when they decide to return home from work in the normal course of events do not let their relatives know that they will be arriving. There are a variety of reasons for this, one being that the mystical hazards of the journey home are increased if a man's enemies know that it is taking place. There is also sometimes the desire to check on the fidelity of a wife. A chief returning from the railway line in 1947 reached Fort Jameson and sent on ahead a man to tell the people their chief had returned. A councillor who was with him remarked 'What sort of chief is this who gives his queens time to get back to their own houses? We ought to arrive suddenly and catch them all with their lovers.'

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The woman's kin also wish to avoid trouble in her marriage and do what they can to prevent her committing adultery if they think that her husband is still treating her well. They talk to her about her obligations to her absent husband and if they think she cannot be trusted, one of them, perhaps the woman's mother, may sleep in the hut with her to see that she does not entertain lovers there. They may warn her that if she is taken to court for adultery they will not support her.

Thus we see that there is social prescription not only of the ways in which a man and his affines should behave towards each other, but also of the ways in which his affines should behave when the man is away. Similarly a woman and her affines interact in the light of their relationship not only when her husband is present but also when he has been absent for years. As a husband can exceed his rights over his wife, so can an affine go beyond what is tolerated while trying to safeguard the interests of an absent husband. The perseverence of some brothers of absent husbands, and the limitations imposed on their actions by public opinion, are recalled by a girls' song current in 1949.

[533]
> I am wanting to go and sleep,
> What stops me is something in the loins,
> I go to the water, and the one who keeps on following comes,
> He has exceeded his sibling-in-law-ship,[18]
> He has dragged Eleni from the reeds.

[607]
Eleni is supposed to be the wife of a labour migrant. Her husband's brother follows her to the stream, where she has gone ostensibly to draw water, as he thinks that she is really going to meet a lover. She hides in the reeds and he drags her out. Such active intervention is inappropriate and dangerous for if there is a struggle the woman is likely to claim that the man was trying to rape her. The astute brother-in-law would have waited his time until he could catch her red-handed with her lover in a village.

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It is never legitimate for a woman whose husband is a labour migrant to have intercourse with another man. People regret that

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[193]
[18] *Ulamu*, the abstract noun formed from *mulamu*, sibling-in-law.

People regret that
a faithful woman whose husband stays away many years does not 167
bear children, but they do not condone infidelity. The prolonged 837
absence of men which leads to this unsatisfactory situation is seen 842
as part of the disruption of the old order by the coming of the Whites. [177]
It is they who are responsible, both for the lack of children in marriages
where the woman is faithful and for the occurrence of adultery in
marriages where she is not. The virtue of bearing children and the [182]
virtue of fidelity are values in conflict and the Ngoni see only one
solution, the ending of labour migration. This conflict appears with 843
particular force when a man goes away leaving his wife pregnant.
This action is in itself hazardous, for the man will not be there at
the time of birth to confess his adultery, yet men do go away knowing
their wives are pregnant. If a live child is born, it must be protected 846
by the rite of 'taking up the child'.[19] If this is neglected the child
may die, and it is in the interests therefore of the man's relatives 167
as well as the woman's that it should be performed. The only
consistent line of action is to ensure that the medicines which can [755]
be used as a substitute for the rite are available to the woman.
These medicines are expensive, and relatives may be reluctant to
find the money for them, particularly as the whole procedure is
under the ban of the missions. The only other solution is for the
woman to take a lover with whom she performs the rite. If they are [837]
caught, the excuse that they were sleeping together merely for
'taking up the child' is not accepted. Here the same conflict and
the same attitude are seen as when a woman has an impotent
husband.[20] To achieve a desirable end the woman must commit
adultery; but woe betide her if she is caught in the act.

There is an important difference between the way in which the 602
kinsfolk act at the level of village discussion and their behaviour 578
later when matters are referred to the court. In the village they are
fairly free to act without reference to the absent husband. They
can give advice and can attempt to enforce mutually agreed damage
payments of chicken, acting in the light of their opinion of what is
in their own interest and in the general interest of their kinsman. 602
They cannot deal in this way with divorce or with large damages
for adultery. These matters must be referred to the court and here 593
much more deliberate attention is paid to the wishes of the absent 684
man. If a case of adultery is brought by the man's kin, the court 692
enquires about the wishes of the husband in the matter. The
husband's kin must produce a letter from him authorizing them
to proceed against his wife and he must say in the letter whether
he wishes to divorce her or merely to claim damages for adultery.
The case is usually adjourned for three to six months while this is
done. A woman who pleads for divorce on the ground of her
husband's desertion is similarly told to write to him informing him

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[19] See above, pp. 45f.
[20] See above, p. 34.

602 that she intends to seek divorce if he does not reply. If the address
593 of the migrant labourer is unknown to his relatives or to his wife,
the court endeavours to trace him through the Administration.
684 Thus the husband's kin usually try to prove in court that the
692 woman is seeking divorce because she has another husband in view,
and sometimes imply that she has been committing adultery with
him. I heard one man oppose the plea for divorce presented by the
wife of an absent kinsman by saying that he was sure the woman
had been committing adultery but that he had been unable to catch
her in the act. Let the court postpone the case until he had good
evidence and then he would agree to the plea. The husband's
relatives are more certain of £3 damages if they can prove adultery,
and the money is paid to them on behalf of the absent man. For her
part the woman usually denies that she has any thought of
remarriage. She arrives in court in her oldest and shabbiest clothes,
to demonstrate both her husband's failure to clothe her and her own
lack of desire to attract other men.

593 The general principle that no court action involving the husband's
sexual rights can be taken without his consent applies even to cases
684 of incest. It may be well known that a woman is living incestuously
with, say, her father, but the husband's relatives cannot take her to
court without the permission of the husband. Many husbands, on
hearing from their relatives that their wives are committing adultery
or are pregnant by other men, prefer to let the matter stand over until
their return to the village which may be several years hence. Thus
one woman may have been sleeping with her father for many years,
and another have a growing brood of adulterine children, before
at last they are brought to court by their returned husbands.

578 Even when a man and his wife are both living in the towns, their
relatives may be called upon to settle differences between them.
602 In one instance that came to my notice, a man and his wife both
from the same village were living together in Lusaka. The woman
[845] had a still-birth and her husband went to a diviner to discover who
[787] was responsible for this. He was told by the diviner that his wife
[754] had been bewitched by his father's brother's son, who was also in
Lusaka. The man wrote home to the village to complain. A
meeting was held attended by important people in the village, and
it was decided to write back and tell the two men that they must
not be so foolish as to quarrel in this way. Not all men who go
away remain in such close touch with the village but there is a great
167 deal of correspondence back and forth, and this is augmented by
602 the news brought by friends who come home. The intervention in
a marital quarrel in the towns is one aspect of the way in which the
field of social relations held in common by rural villagers stretches
out to include kinsmen and former neighbours working many
hundreds of miles away. Men who fall sick in Southern Rhodesia are
fetched and escorted home, fathers go on holiday to visit their

migrant sons, and villagers mourn for a dead kinsman of whose death in the towns they have just heard. 167 602

Although it is possible for a couple to keep in contact with their rural kin if they are diligent in writing, the amount of interaction between the couple and their kin is much less under these conditions than when they are living in the village. Even when only the man is away and his wife is living at home, the ties linking relatives by marriage cannot in general be as strong as when the individual through whom those ties pass is present in face-to-face contact with his affines. None of the ceremonies of marriage, except the obtaining of a marriage certificate, can be performed if the man is away from the village and they must wait until he returns. Ngoni say 'You cannot send beer on a lorry'. When the man returns for a rest his wife's parents sometimes seize the opportunity to send him beer, but if he has been away a long time, they may be reluctant to brew for a man they do not know very well and whose character may have changed in the treacherous environment of the towns. Even if the man is working as near as Fort Jameson township, he may have difficulty in getting away from his job just at the time his parents-in-law want him at home. [585]

Some men marry women they meet in the towns. Often an unmarried man leaves the village and a year or so later the news comes that he now has a wife. If the woman is from another tribe it is unlikely that the relatives at home will be told her name, and if the children of the marriage remain in Southern Rhodesia, they too will be unknown at home in the village. Sometimes, however, a man may marry a woman who comes from his own neighbourhood who has been visiting relatives in Southern Rhodesia or who has been divorced from another labour migrant. There is then more chance that the rural kin will be made aware of the marriage, and the children born to the couple may be sent home to one or other grandparent. If and when the man brings his bride back to the village, he goes to her village to give her relatives formal notification of what has happened, how he was in Southern Rhodesia and saw her and how they married there. Men sometimes offer the legalization payment for wives married in Southern Rhodesia when they return home. If the woman's relatives see that the man is treating his wife well, that she is well clothed and that the man is not running after other women, they may accept the marriage and brew beer for the man. If they do not approve of him there is little direct action they can take but they may try to start a quarrel sooner or later. 581 602

7. *Child's parents-in-law*

On either side of the married couple are their kin groups, and there is a special term to express the relationship between the parents of one spouse and the parents of the other. This relationship is thought of as one of limited co-operation. The two pairs of 602

602 parents have different fields of interest, but the two fields overlap
in the well-being of the married couple. At first there is much
formality between them, and intermediaries are used whenever
possible. Later they become more friendly. In the setting of the
village meeting some parents appear to see themselves as allied in
wisdom with the opposite parents against the foolishness of the
younger generation whose immature behaviour has been the cause
of the meeting. At other times, they may act to defend the rights
and happiness of their child against the claims of the rival kin group.
We have seen in the story of Daniel and Deborah [21] how yet another
alignment can occur when both sets of parents support one spouse
against the other. There is no simple way in which these different
alignments can be predicted, for they are in fact the outcome of
829 the continually changing pattern of social relationships within the
local community. In general, all people wish to preserve the existing
configuration of relationships, to support the interests of their children
and to maintain the values of their society. In any particular
situation, these goals may be mutually incompatible, and there is
571 no over-riding principle, such as agnatic descent or a state-enforced
code of law, to which all decisions can be referred. The tenuousness
of the cohesion of the local group of kin is reflected in the varying
alignments of parents in marital quarrels.

578 We tend to think of quarrels as socially disruptive, and in so far as
they are not resolved they do lead to the break-up of existing
571 groupings and the formation of new ones. Yet from another point
of view, quarrelling is as much a cohesive process as is common
participation in marriage ceremonial. Indeed, just as we have seen
already [22] that a ceremony of marriage may be a vehicle for expressing
hostility between kin groups as well as recognition of common
interest, so a quarrel may lead to increased solidarity between kin
groups as well as express hostility between spouses. By taking
steps to resolve a quarrel, one kin group is brought into face-to-face
contact with the other; there is visiting between their villages and
mutual hospitality in somewhat the same way as in marriage
ceremonial. The two groups may join to censure the erring spouse.
The censured person may feel deserted by his (or her) parents but his
father and his father-in-law may have come closer together.

The formality that characterizes relations between parents at
602 the beginning of a marriage gradually disappears. A man or woman
can always seek shelter and hospitality at the hut of a *child's
parent-in-law* and in the final ceremony of marriage, when the
married couple enter the wife's mother's hut, the two pairs of parents
sit together and discuss the merits and limitations of their respective
835 offspring. It is regarded as incestuous for a man to marry a woman
whom he calls *child's parent-in-law*. By so doing his son's wife

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[21] See above, p. 82.
[22] See above, pp. 76f.

becomes her husband's *sibling* so that their marriage is then 835
incestuous. I have recorded elsewhere[23] an instance in which a man married his son's wife's mother. His son's wife left her husband, saying that she could not sleep with her *sibling*. In court the old man was ordered to give up his new wife and on that understanding his son's wife returned to her husband. Yet when I left the area two years later the man and his son were both living with their wives, despite the order of the court.

It is quarrelling, adultery and divorce that bring together the two 578
groups of kin to deliberate. Quarrelling is usually between man 602
and wife and arises from their personal life together. There are very few quarrels between the two groups of kin over the custody of the children or about the handing over or return of marriage payments. 851
The custody of children is determined in theory by the payment of
bridewealth. In practice a child stays with its mother until it is [583]
weaned and may then be sent to a grandparent. Here there is no argument, even in theory, that all the children should go to one grandparent or the other depending on bridewealth. Some people say that the proper thing to do is to send the first child to the man's mother, the second to his wife's mother, the third to the man's mother, the fourth to his wife's mother, and so on. This is not carried out in practice, and a child goes to live with whichever grandparent asks for it or is conveniently situated. Some old
widows run households containing up to half a dozen grandchildren, [589]
real and classificatory, and others live alone or with one grandchild although there are many grandchildren available. A married man is concerned that he should not appear to favour his own relatives at the expense of his affines, and he endeavours to see that his children go to live where they will be welcomed and well looked after. As with
children, so it is with presents. If he returns from work and gives 431
his father a shirt, it will be prudent the next time to give a shirt to
his wife's father. It is only when the marriage has broken up that the 586
two sets of relatives may see themselves opposed against each other, each insistent on its own rights. Even then, there is little point in quarrelling about children. A child soon becomes 'wise enough' and can choose for itself. I recorded an exceptional instance in which a man aged about twenty moved from the village of his father's father, where he had been living, to his mother's father's village on the instructions of his kinsmen, who said that as his father had not paid bridewealth for his mother, he must follow his mother's kin and not his father's. This kind of move does not often occur, and although only one marriage in twenty is accompanied by the payment of bridewealth, many people settle in their fathers' villages.

8. *Other Kinsfolk*

We have so far discussed the role of kin in a marriage in terms of 602

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[23] See Barnes, op. cit. p. 232

602 the parents of the couple. If the parents are not available other kinsfolk can substitute for them, but in general it is a man's or woman's father who represents the interests of their local group of kin in situations in which these interests are contrasted with those of the spouse's kin. It is the woman's father who receives all the different payments made in marriage, and he is free to keep the payments or to distribute them among his relatives as he thinks fit. If a woman's father is dead or away at work the payments are made to her brother or her father's brother or her mother or some other relative who, in this situation, is prepared to assume the responsibilities that would otherwise be borne by him. Similarly, most men find the money for marriage payments themselves, but if a man is too poor to do this, it is first to his father that he turns for assistance. If, however, his father is dead or poverty-stricken or unwilling to provide the money, he can ask some other relative for help. Here we are dealing with situations in which the father or his substitute [591] is acting as the representative of the loosely structured local group of kin in situations in which his own children are specifically involved. There are, however, certain specific kinship relations which we can separate out from the general operation of local kinship and which impinge on the marriage relationship. A grandmother has a particular interest in the sexual aspect of marriage. The eldest brother acts as intermediary between a man and his father in the marriage negotiations. Younger brothers are interested in the disposal of widows. Children have rights in the property of a married couple. These are more specific obligations and rights, and while it is possible to find substitutes if the genealogically correct relatives are not there, there is more rigidity in these matters than in those in which the initiative lies with the local group of kinsfolk whoever they may be.

603 We have mentioned that the grandmother who rears a girl may be in charge of her seclusion at puberty (p. 32). Even when some other old woman is in charge, the girl's grandmother has some responsibility for her sexual behaviour. If a man does not sleep with his wife she complains to his grandmother, and although a man is not instructed in sexual matters by his grandmother, he can discuss them more freely with her than with any other kinswoman. Grandmothers sometimes play an important part in the resolution of a marital quarrel in the village, and they often act as midwives. It is a man's grandmother who complains to him if his wife is not bearing children, and it is to her that he may turn for advice about medicines. In the courts, however, grandmothers do not play so important a role. They are women, and important women use their influence more in village situations than in court, where men are in [562] control and male councillors look to a man's brothers and father for confirmation of evidence.

593 There is considerable formality in the relationship between a man and his own parents and this formality appears to be greater if

he has not been brought up by them but by some other relative. In 593 particular a man is reluctant to discuss his affairs directly with his father if he can get his eldest brother to act as his intermediary. The eldest brother is heir to their father and it is considered that he should act as the channel by which the father is approached. He deals with proposals of marriage arising from his younger siblings and if he approves of them, he refers the matter to their father. This pattern of relations seems most marked in aristocratic families. [184]

9. Widows

While it is a man's eldest brother who helps to arrange his marriage, 587 it is his younger brothers who become pro-husbands to his widows. 851 We have seen that in the old days a widow was usually looked after by a younger brother of the dead man but she continued to live in her dead husband's segment, and the children she bore by her pro-husband were grouped with the children of the dead man. This can still happen but it is no longer the invariable rule. As in the old days, if bridewealth has been paid by the first husband and after his death his widow goes to live with someone else, the second husband or pro-husband cannot offer bridewealth and the children he begets belong to the dead husband and take his descent name.

Some indication of the extent to which widows remain with their 587 dead husbands' kin is given by data collected in two villages. All the women now living in these villages had between them experienced widowhood 31 times. In two instances (6 per cent) the widow had been cared for by her dead husband's brother; and in 11 instances (35 per cent) the widow took a new husband not directly related to the dead man. In the remaining 18 instances (58 per cent) [589] the widow had not married again and was living alone.

A man may die at any stage of his marriage. If he is betrothed to 584 a girl and then dies, the betrothal passes to a younger brother. When the girl is old enough, the younger brother marries her as though she had been betrothed to him in the first place and the children he has by her are his own children. Similarly, if a betrothed girl dies before she is married, the betrothal passes to a younger sister.

If a man dies after he has been properly married his widows have 765 definite roles to play. For a month after his death, they must wear the signs of mourning, and they are in danger of *mdulo*[34] if they commit adultery during that time. They must be ready to wail when distant visitors arrive to mourn. At the end of a month they brew beer, and there is a joyous party. A year after the death there is another party, and the fate of the widows is discussed. If none 589 of the younger brothers or kinsmen of the dead man wish to look after the widows, they are free to go their own way, and there may be a formal statement of divorce. They are in any case now spoken

[34] See above, p. 46.

589 of as being divorced from the dead man. If they do not themselves wish to be inherited they cannot be forced to remain.

587 If a widow is cared for by a younger brother of her dead husband,
and that man already has a wife of his own, the widow is regarded
as inferior in status to the man's own wife. Yet any children she
851 has by him count as if they were children by the dead husband, and
as such they inherit his cattle and offices before the brother's children
428 by his own wife. This apparent paradox is due to the nature of
554 Ngoni seniority. Seniority was always associated with position in
a definite segment in the old residential system. The widow belongs to the segment of her dead husband, and even today if she is a queen she ought to stay there after she has been given a pro-husband. If she moves to live in proximity to her pro-husband, she comes into the ranking system of which the pro-huband's great wife is the superior. Her children are, however, still associated with the segment from whence she came.

The new husband, whether he is a kinsman of the dead man or
587 not, pays one goat, also known as 'snuff-box', on taking the woman,
583 and this animal she keeps herself, and does not hand on to her father
or brother. If no bridewealth was paid by the first husband, the
851 children borne to the second take the descent name of their own
father and his rights in the marriage are the same as if he were marrying the woman for the first time and had made the legalization payment.

There is then an opportunity for the marriage to continue after
589 the death of the man if his wife and his kinsmen are both agreeable.
If the widow wishes to go her own way, she can do so, and if his kinsmen do not wish to care for her, they need not. Even if they do not like the woman they cannot turn her out of the village, and she can go on living in her dead husband's hut and cultivating the same garden as before. She may even re-marry and bring in her new husband to live with her in her dead spouse's village. The extent to which this can be done without quarrelling depends very much on the personalities of the people involved. If the widow decides to go back to her own village, her husband's kin may try to prevent her removing possessions of which the ownership is not certain, and she should discuss with them how much of the crops she can take away from her garden.

Nowadays the death of a wife brings the marriage to an end. We
587 have seen that in the old days the dead woman was replaced by a
linked co-wife, and that this institution has now all but disappeared. There is no other form of sororate, and although a man may sometimes in jest address his wife's sister as *wife*, he has no rights over her.

593 The specific responsibilities of brothers towards a man's marriage are demonstrated in the role of the elder brother as a marriage negotiator and of the younger brother as potential husbands for a man's widows. A man would not, save in exceptional circumstances,

turn to a younger brother for help in arranging a marriage, but 593
although it is said that a man cannot marry the widow of a younger brother, this is sometimes done. The position of children born in a union of this kind is anomalous and there is likely to be dissension in the family if the elder brother has no children by his own wives.

10. Rights in wives and children

The new-born child sleeps in its mother's hut, is in danger from its 854
father's adultery, and is held by its parents at their ritual resumption of sexual intercourse. It is carried to the garden on its mother's back and at mealtimes sucks porridge from her finger. Perhaps its father may play a little with it, but this is not very likely. After [862]
weaning, which takes place about the age of two, it may be sent to a grandparent or some other relative, or may perhaps remain in the parental hut for a few more years. But already it has been handled and probably suckled by many women, has learnt to play 857
with the other young children in the village, and has gone off with them into the bush or to the stream. It has learnt also the correct kinship terms for most people in the village and has seen its village teams dance against those of other villages. It has gone visiting in other villages with its parents and has begun to explore its web of kinship, of which it is the centre.

The growing child therefore does not see its parents as sharply 593
distinguished from all other adults in the vicinity, but merely as the two people to whom its ties are closest and on whom it is most dependent. If a child whose parents are dead or are living in Southern Rhodesia is brought up by a relative, it may not learn their names until it is adult, if then. Parents are important to their children only when they live near them or with them. It is when children grow up in the village of their parents that they rely on them for school fees, clothes and medicines. Later a boy may ask his father for financial help or may use him as a banker, handing over his wages to him.

This is true not only of a man's own children of whom he is both 848
genitor and pater, but also of his wife's adulterine and pre-marital children, if he chooses to accept them into his household. It is clear that if a man has paid bridewealth, he has custody of all the children borne by his wife, in adultery as well as in wedlock. If he has not paid bridewealth, then adulterine children like legitimate children belong in theory to his wife's relatives. In practice a man can either accept or spurn them. If he has been away a long time and returns to find his wife with illegitimate children, he may decide to accept the children as his own. They then take his descent name and not that of their genitor. The biological parentage of such children is not mentioned openly, but is remembered in malicious gossip.

Case history 11

Laban went away to work in Southern Rhodesia. His wife Sara went

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> to a farm to work and while there had a child by a man working on the farm. When Laban returned from Southern Rhodesia people said to him, 'You have a bad wife, she has borne a child by a man while you have been away.' Laban said 'It does not matter, I love my wife and I will look after the child.'

The rights of children born in adultery to inherit their pater's property on his death are never certain. If there is enmity between them and the true sons of their pater, they may be denied any assistance from the estate of the dead man.

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A man acquires rights *in genetricem* in his wife,[25] that is, rights in her as a mother, by the payment of bridewealth. We have seen that bridewealth is not often paid and that the rights exercised by a man over his children by virtue of this payment are ill defined.[26] Ngoni argue that in theory when a woman marries, the marriage payments should be paid to her mother's brother and not to her father if he has not paid bridewealth for her mother. Rights in a woman *in genetricem* are held to include the right to the marriage payments of the woman's daughters. In practice this aspect of rights *in genetricem* is as ill defined as rights to determine where children shall live. If a girl is living in the same village as her father or even her mother's husband, the fact that he may not have paid bridewealth is overlooked when the time comes for the girl to marry. Her suitor does not inquire into the affairs of her relatives before he marries her and indeed if her parents are divorced or dead he may never know their names. He respects his affines and does not probe into their secrets. He offers the legalization payment to whosoever appears to be responsible for his bride, her father or her mother's husband or her mother's brother or some other relative, depending on how and where she is living. At the level of the next generation, if a man treats his wife well, her relatives will not want to make trouble in the marriage by insisting on their theoretical rights when his daughters get married. If the man is prudent he gives them some of the money and they are content. On the other hand, if there is a quarrel between affines and the case is taken to court, it may be possible to establish rights *in genetricem*. The court holds that to take the legalization payment of a daughter is to exercise rights *in genetricem* in her mother. The following case concerns a man who exercised rights *in genetricem* that he did not possess.[26a]

Here the award of £3 damages against Nebo is due partly to his having initiated the action for divorce without any substantial complaint against his wife, and partly because he had taken the legalization payment which should have gone to her relatives.

Cases like this are not common, and the interest of the court is more often focussed on the legalization payment than on bridewealth. The legalization payment is becoming the more important payment

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[25] See below, p. 113.

[26] See above, p. 35. and Table V.

[26a] See p. 97.

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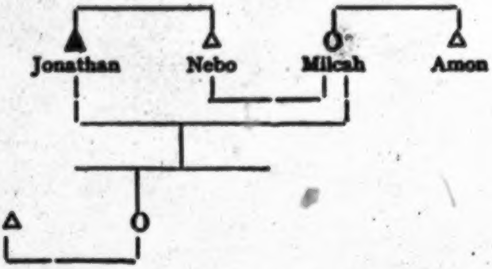
Case history 12



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Nebo inherited the wife, Milcah, of his elder brother Jonathan. Neither brother paid bridewealth. One of the daughters of Jonathan and Milcah was married and the legalization payment for her taken by Nebo. In 1947 Nebo brought his wife to court to divorce her. He said that she was always committing adultery and he was afraid that one day he would kill her in anger. [586] Milcah's brother Amon complained that Nebo had taken the legalization payment of Jonathan's daughter, and insisted that if there was a divorce custody of all Milcah's children should be given to him. This was accepted by the court, who told Nebo that if he wanted the children he must pay bridewealth. The divorce was granted and £3 damages awarded to Milcah. The payment of bridewealth was left undecided.

in marriage, and some people are beginning to confuse the rights originally transferred by it with the rights *in genetricem* associated with bridewealth. The vernacular term for the legalization payment [191] (*cimalo*) is common to many tribes in the Eastern Province, whereas that for bridewealth (*malowolo*) is peculiar to the Ngoni. Bridewealth is not recorded on the marriage certificate whereas the legalization payment is. It is possible that while the rights *in genetricem* relating to the residence of the children of the marriage will remain indefinite and unenforceable, rights *in genetricem* relating to the acceptance of legalization payments for the daughters of the marriage will become attached to the legalization payment itself. This trend is illustrated by the following incident.

Case history 13

Simon had been married for many years and his daughter was being sought in marriage. Simon's wife's brother Nimshi came to see him to remind him that he had not yet handed over either the legalization payment or bridewealth for his wife. Simon admitted this. Nimshi said that someone would soon be offering a legalization payment for Simon's daughter. If Simon wanted to keep the money he must first offer the legalization payment in his own marriage. Simon paid Nimshi and kept the payment for his daughter.

Here Nimshi held that the legalization payment offered by Simon entitled Simon to keep the legalization payment offered for his daughter. According to traditional usage Nimshi should have insisted that Simon paid bridewealth not merely the legalization

593 payment. It may have been that Nimshi was merely trying to get 583 as much as he could hope for out of Simon, who was a fierce and powerful person. In view, however, of the decline in the incidence of bridewealth and the increasing importance of the legalization payment it is not unlikely that this right to the daughter's legalization payment may soon be separated from bridewealth.

428 It is at the death of a man that his children exercise their particular rights from him as against the claims of other kin. [583] If a man has paid bridewealth for his wife, then the claim of his eldest son by her to his property is clear. The eldest son by the great wife is the heir, and he takes over control of the dead man's herd, and inherits his money. For inheritance, cattle are more important than money. [454] Most men keep their money hidden in the ground, and it sometimes happens that a man dies without mentioning where he has put his savings, so that they are lost. Cattle are publicly-owned property, [422] in that every boy in the village knows the ownership of each beast, and they can be seen in the byre every day. Men sometimes divide their property among their sons before they die, but it is more usual for a man to give one cow to the eldest son of each wife and to leave the rest undivided. The residue then passes to his heir on his death. [583] If bridewealth has not been paid, the claim of the dead man's eldest son to the herd may be disputed by the dead man's brothers. Succession here does not seem to be determined in the light of the failure to pay bridewealth but by a consideration of residence. If a man is living in the same village as his father then he can expect to inherit his father's cattle when he dies. If he is living elsewhere, and tries to claim his inheritance, he may be opposed by his father's kinsmen resident in his father's village should he try to remove the cattle.

The eldest son inherits, but he has an obligation to help his sisters and younger brothers when they need beasts or money. If the other brothers are scattered in different villages, the herd may be divided among them, but it may be many years after the death that the division takes place. If the eldest son is in Southern Rhodesia the dead man's brothers delay the division of the herd as long as possible in case the rightful heir should return.

[425] Women acquire cattle and other animals with money they have saved or gained by selling beer, or as gifts from their husbands. [583] If no bridewealth has been paid for a woman any animals she may own pass on her death to her eldest son. If bridewealth has been paid for her the disposal of her property is uncertain. Some people argue that the animals cannot then go to her son, for her son belongs to her husband's group because of the bridewealth, and that they ought to pass to her brother's son. Others say that the animals should go to her eldest son irrespective of bridewealth. Unfortunately I did not record any specific instance of inheritance from a woman.

11. *Headmen*

622 624 585 The kin of the couple are not the only people in the village who are concerned in their marriage. In any matter of importance taking place in the village, attracting many onlookers and participants, there should always be someone to represent the 'owner' of the village, as the headman is also called. This is as true of marriage as of anything else. The intervention of the headman is clearly seen in such situations as the gall bladder ceremony and the entry into the wife's mother's hut. At these public affairs a lieutenant may be acting as master of ceremonies, even though he is not directly related to the couple. In most villages everyone is related in some way or other to everyone else in the village, but unless the marriage involves one of the close kin of the headman or his lieutenant, it is clear from the rôle he plays that he is present not because of his kinship to the couple but because he is a political official in the village. Thus at a gall bladder ceremony a lieutenant was called in to anoint the bride although he came from another division of the village. At another, a village lieutenant instructed the bride with these words: 'I am the lieutenant of the village. Fear me and I will also fear you. Work hard for [your father-in-law] Jesse.'

622 578 The headman of the village ought to be called to, or at least told about, any meeting to discuss a quarrel, and if the matter is taken to the court, he may be required to explain what steps he took to settle the quarrel in the village. His opinion on the character of the married couple is listened to. In the case of Daniel and Deborah, we have seen that at the first two meetings the headmen of the two villages were present, and although the headman of Daniel's village was not very closely related to him (he was Daniel's father's wife's father's wife's son) he took part in the discussion. At the third meeting the headman of Deborah's village was not called, but it is significant that the headman's father's father's brother's son was called in. [621] The village was in danger of splitting at about that time, for a variety of reasons, and the headman's classificatory father was trying to form a separate village.

12. *The Court*

692 648 Beyond the ambit of the village lie the courts and the Administration. We have seen that it is to the court that married couples go when their troubles are greater than their kinsfolk can deal with. Beyond the courts there is always the possibility of appeal to the Administration, and from time to time the Administration intervenes 797 in village affairs on its own initiative. Another external system impinging on marital affairs is that focussed on the missions. By contrast, the interests of White planters and urban employers are 466 concentrated in fields other than marriage, and except in the case of employees of long standing, they do not concern themselves with the marital affairs of their labourers, save in so far as attention to these may conflict with a man's attendance at work. In the particular 000

In The particular

427 581 field of urban housing, however, the forms of marriage become important and a man may be required to show that he is legally married before he can rent married quarters.

692 581 The work of the court is, in the words of the councillor hearing the pleas of Ruth (p. 54), 'not . . . to force men and women to divorce each other, but to instruct them how to live well together'. Whereas kinsfolk have an interest in a particular marriage, the court is concerned with the well-being of the tribe as a whole, and the maintenance of Ngoni values. It has a particular interest in those aspects of marriage in which the Native Authority bureaucracy is concerned, namely the issue of marriage certificates and the handing over of the legalization payment. In court as yet, no inquiry is made as to whether a marriage certificate has been issued in respect of any particular marriage. These certificates were first introduced only a few years ago, and if a married couple want one they must make a visit to the court accompanied by one or two relatives, and pay sixpence fee. They do not go to this trouble until they need one for the journey away from Fort Jameson. This may be after several years of married life.[27] In village discussions of marriage I never heard mention of marriage certificates, nor did I see a litigant produce one in court. One man, obtaining a certificate for his marriage that had taken place a year previously remarked that in these days one could not be sure of damages for adultery unless one had a certificate. I think he was ahead of custom in this matter, but as the same individuals issue certificates and try cases, it seems probable that such a development will take place. But even with the increased importance of the issue of certificates, it seems likely that the role of the court as primarily a conciliatory body will continue for some time, so long as court members do not become a body of specialists differentiated from the rest of the population.

692 586 The court is reluctant to grant divorce to a woman on the ground of her husband's desertion if he is a labour migrant until it can be shown that she has made efforts to trace him and has given him a chance of re-establishing contact with her. Therefore, women are made to write to their husbands informing them of their intention to proceed with a divorce. These letters are sometimes shown to the court as evidence that they have been written. It is only after an adjournment of several months that the court will take up the case, and the wise woman, during this time, avoids any indication that she has a new husband in view. It is, as it were, assumed that there is always a suspicion of adultery, but if her husband's kin cannot marshal any evidence against her, the court will grant her plea. It is felt by some court members that the attention paid to the pleas of women is forced on them by the Administration, and they are anxious to show that they do not divorce women too

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[27] Cf. Richards, op. cit., p. 84.

easily. Paramount Chief Mpezeni III, in a Christmas broadcast 692
in 1948, addressed to Ngoni workers in the towns, said 586

> Think not that I divorce your wives merely when they come to court. [643]
> I do so when I see you send no money or clothes or you stay away for more
> than five years, not writing or sending anything to your families. I do [539]
> this when they come to see me, both she and your parents. You do no
> good to your families by forgetting them all when you are in a strange
> country.

The grounds on which divorce is granted are more or less the same in the court and the village, but although the court, like the village assembly, thinks of itself as being primarily concerned with 'teaching people to live well together', it is also, unlike the village, concerned with reinforcing the power of the Native Authority bureaucracy and [182] upholding the authority of the chiefs. Hence the court gives greater weight to the formalities of marriage and the theoretical rights inhering in the different payments. The chiefs, councillors, assessors, clerks, and police who make up the court are all men, whereas in the [693] village meeting old and important women give their views and they are listened to with attention. My impression is that women are [562] less favoured in the courts than they are in the village.

The law that the legalization payment shall be not less than 671 thirty shillings was agreed to at a meeting of chiefs and their 583 supporters in about 1944. Informants said that the law was introduced so that women as well as men could be punished for 684 their adultery. It was argued that in a marriage in which no bridewealth had been paid, and only a few shillings as the legalization payment, the woman's kin could not in equity be called upon to pay damages on her behalf to her husband when she committed adultery. Adultery was thought to have increased, and women were as much to blame as men. By making the legalization payment a considerable amount, equal at the time to two months wages, it became possible to punish the woman in the same way as her lover. As we have seen, not everyone keeps this law, and women are married with a smaller amount as legalization payment, or with no payment at all. It is held by some people that a marriage certificate will not 581 be issued unless at least thirty shillings legalization payment has been handed over, but in fact it is still possible to get a certificate 583 when some smaller sum has been paid. In the light of developments in other tribes of the Eastern Province, it seems likely that before long thirty shillings legalization payment will become necessary before a certificate can be obtained.

One copy of the certificate is given to the man and another to the 486 woman. With the help of her certificate, and of letters from her 562 husband showing he is calling her to join him, a woman can get a pass from the court allowing her to buy a ticket on the bus going to the railway line or to Nyasaland. These certificates have therefore considerable value, and one woman's pass may be used by another.

486 562 if the latter is unable to leave the area legally.[38] Various devices have been introduced to prevent women from using other people's passes, such as recording finger-prints on the certificate. On the other hand there are a great variety of ways in which women contrive to leave the area without a proper pass, such as marrying the bus driver for the duration of the journey, getting off the bus and walking round the control points, and so on.

13. The Administration and the missions

648 671 581 586 Under the Laws of Northern Rhodesia, which guide the Administration, the only valid marriages between Africans are those performed in accordance with 'customary tribal law'. There has never been any systematic attempt to codify the rules implied by this phrase, and in any particular case that comes before the Administration's courts, the views of individual African assessors must carry weight. The tendency has been to try and discover what used to happen in the old days rather than what was the *de facto* law at the time. On the other hand, there appears to have been a feeling that women were entitled to certain rights in equity that may perhaps have been associated with the proviso that 'customary tribal law' shall not be administered when it is 'repugnant to natural justice and morality'. The Administration has certainly been sympathetic towards deserted wives seeking divorce and has encouraged Native Courts to allow their pleas where the husband has been many years away and has not written home. In the past the District Officer on tour has divorced batches of women who had applied in vain to the Native Courts for divorce on the ground of desertion. It has been argued by the Administration that since chiefs depend on the gifts of returned labour migrants to supplement their own income, they are reluctant to offend men by divorcing their wives in their absence. There are fewer divorces, in relation to the same number [171] of pleas, granted in Ngoni courts than among the neighbouring Cewa, who are subject to the same Administrative and mission influences. The Ngoni find no consolation in this comparison. They merely observe that there are more divorces now than there used to be, and blame the Whites for the change.

797 581 586 The missions are all concerned with the development of Christian marriage, but their ideas as to what this is differ from one denomination to another, as do their views on the relationship of Christian to other types of marriage. The White Fathers and the Universities Mission to Central Africa do not allow divorce, while the Dutch Reformed Church Mission does. The U.M.C.A. insist that all 'customary obligations' shall be fulfilled before a marriage can be solemnized between Christians, the White Fathers

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[38] Cf. Barnes, op. cit. pp. 245f for the rules regulating the movement of women beyond Fort Jameson District.

teach that the fulfilment or non-fulfilment of marriage payments 797
is no concern of the Church, while the D.R.C.M. have a rule that 581
bridewealth shall not be paid although this rule does not seem to be
enforced. In general, in the village and in the court, the obligations 586
of Christians are thought of as supplementary to their obligations as ordinary men and women, and Christian ceremonies to some extent supplement, but do not replace, traditional ceremonies. Thus there may be a church wedding in addition to a gall bladder ceremony, and a divorce in the eyes of the mission following after a divorce in court. Pressure has sometimes been put on chiefs and court members to act in accordance with the teaching of the mission, as in a past attempt on the part of the Catholic White Fathers to prevent courts from granting divorces to Catholics.[29] This type of intervention has applied particularly to courts where the chief was himself a Catholic. The Administration has opposed this pressure, and does not itself recognize any legal significance in religious ceremonies.

14. *Spouses and kinsfolk*

We may see the married couple in the middle of a system of 581
relationships which connects them with persons and institutions 593
each interested in their behaviour and in the maintenance of the
marriage tie. By living peacefully together, by producing children, 602
and by fulfilling their obligations to their kinsfolk and affines, they 571
can, with discretion, satisfy the divergent claims implicit in this system of relationships. If they begin to quarrel, their kinsmen and neighbours attempt in the first instance to reconcile them. Only when this is impossible do those interested in the marriage begin to split up into groups with differing interests whose rival claims must be weighed by the court. Even then it is hoped that reconciliation will be possible, that a wife will return to her husband after she has paid him damages for adultery, and a husband return to his wife after many years of neglect. Whereas in the old days marriage was related to a fairly definite residential system, and rights and obligations were clear cut, nowadays the forces holding together a body of kinsfolk are weaker, and the danger of disruption of the group because of quarrelling is greater. The genealogical composition of the group is more variable and alters from year to year. Marriage, as one of the mechanisms by which local groups are built up, is part of the general political process, and is affected by inter-group and inter-personal relations that at first sight appear to have little to do with marriage. We observed that tribal and religious affiliation are significant criteria in a possible spouse. The divergent interests of less permanent groups, such as cliques and factions, influence choice of marriage partner and behaviour within marriage, as we have seen in the stories of Absolom and Mary (p. 60) and Amos and Eve (p. 28). Conversely, marital interests affect non-

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[29] Cf. Richards, op. cit. pp. 83-4, for similar events among the Bemba.

581 marital behaviour, as for example when a new-acquired wife
593 persuaded her husband to seek work with her in Southern Rhodesia
so that she might enjoy his prosperity to the exclusion of her senior
602 co-wives who were left in the village.

571 Within the kinship system itself, ties of affinity compete with and are affected by ties of consanguinity. A quarrel between a married couple may lead to further quarrelling between affinally-linked relatives, and a dispute between a man and his wife's relatives may lead to a quarrel with his wife. Yet on the other hand a man who merely finds a woman and marries her without reference to her relatives is uncertain of his rights in the marriage and cannot appeal to her relatives if she misbehaves. There can be no ceremonies of marriage, and he must resort to subterfuge to get a marriage certificate. If he sends his children to his wife's parents to be cared for, they will accept them, but by so doing they do not accept him as a son-in-law. His wife's parents will deny that they know his name and if he takes his wife to court, they will mock him by saying 'We do not know this man'. Irrespective of marriage payments, a man cannot be validly and effectively married in the rural area without establishing his relationship to his affines. For a woman this is not always so, for her husband may have come from afar to work in the area, or he may earlier have broken away from his kinsmen. But without the support of his own kinsmen a man is dependent on his wife's kin for assistance in the marriage and, though the marriage may last, he is still one man living alone in a strange village.

CHAPTER V

SYNCHRONIC AND DIACHRONIC ANALYSIS

1. Old and new marriage

WE HAVE described marriage at two periods in Ngoni history, as 581
it was in the 1890's and as it is now. The differences we 178
have found between the two periods are not due to chance
except in the sense in which we may speak of all historical incidents
as being partly due to chance and partly determined by the limiting
conditions imposed by the past. Changes in the field of Ngoni
marriage have been paralleled by changes in other aspects of Ngoni
social life, have been influenced by other changes and have in turn
influenced them. Throughout Ngoni history men and women have
always married, but the society in which they married has changed.
Marriage in the time of peace was appropriate, more or less, to the
general ordering of social life in those days, and modern marriage
is appropriate, again more or less, to the social structure of today.

Our task is then a threefold one. We have to show the relationship 121
between old marriage and the rest of the old society, a similar
relationship between modern marriage and modern society, and the
process by which the transition from one set of conditions to the other
has come about. We have outlined in Chapter II some of the internal 128
and external factors responsible for this transition, and the nature
of the material available to us on the 1890 period has led us, in
Chapter I, to describe the old system largely in analytic terms. In
this chapter we shall attempt to clarify our picture of the past in
the light of an analysis of modern marriage.

In the old days the residential system provided the framework 571
for political and lineage ties. Marriage was a legitimate means
whereby children were recruited into segments of the system.
Marriage involved a permanent transfer of fertility from the woman's
kin to her husband's kin. Adultery was punishable by death, and
divorce was rare. Affinal ties cut across the cleavage lines of the
residential system, but while these ties were important, a man could
not transfer his allegiance to his wife's or to his mother's group.
A man who quarrelled with his kinsmen could not move to another
village to live, but could only hive off to form a dependent but
recognizable cluster of his own, which still remained part of the same
residential segment.

The material apparatus belonging to the system, that is, the great 222
villages with hundreds of huts and central cattle byres, was to a large 648
extent destroyed in 1898 by the British. A few important people
in the system were killed, and many of the cattle looted. With the 178
establishment of British rule, it was physically possible for the 648

Ngoni to rebuild their old system, yet they did not do so. The social conditions that permitted the old system to operate had disappeared.

The most important new factor was the presence of the Administration in political control of the area and backed by a superior technology. Tribal warfare was no longer possible, so that recruitment into the tribe by capture ceased. Frontiers and land boundaries were established, and free movement across the face of Africa ended. Instead men went off in parties to work in the mines, and either returned or were lost to the tribe. The internal structure of the state was modified by the creation of new posts held by Ngoni and by the actions and exhortations of Administrative officers who did not fully understand the operation of the old system and who were themselves bound by the general plan of Native Administration decided on for the Territory as a whole. The sanctions available to chiefs and headmen were severely curtailed, and in particular they were prevented from killing adulterers. Unrelated groups of neighbours were forced to amalgamate into single villages, while other populated areas were cleared and the land made over to White farmers who began employing labourers from near and far. Cewa captives returned to their old areas while other Cewa entered the area as labourers or seeking places to make their villages. At the same time as these new elements were intruding into the system, mobility within it by traditional processes became more difficult. The old political structure held together because there was provision within it for promotion and demotion, for vertical as well as horizontal social mobility. Successful warriors were rewarded by the chief, and made lieutenants and regional governors. After 1898 this was no longer possible. The chief lost his power to allocate people as dependants to an important or ambitious man, and as it became futile for men to struggle for position within the old system, so they began to struggle outside it, in the Administration, the churches, farms and mines.[1]

These were new phenomena, without structural equivalents in the old order. The most important change was the loss of sovereignty, but this in itself did not directly impinge on the field of marriage. It was no longer possible to divide up the kingdom in terms of the great royal villages under the leadership of senior queens, for the Paramount Chief was a young boy and a Catholic, and by the time he had acquired a number of queens, boundaries had already been drawn and the formation of new villages controlled by the Administration. Royal marriage has ceased to have the political significance that it had in the old days. This is attributable to the confinement of the kingdom within the geographical and administrative bounds of the larger system. But we know from other areas

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[1] Cf. Barnes, 'Some aspects of political development among the Fort Jameson Ngoni', *African Studies*, vii (1948), pp. 104-105, 108-109.

But we know from other areas 121

that loss of sovereignty itself does not necessarily disrupt the marriage arrangements of common people and we must look elsewhere for an explanation.

2. *Movement between villages*

The old villages formed part of the residential system, and their 621 structure was maintained by the power of the central chieftainship, as expressed through the lieutenants of the royal villages, and by the diffuse sanction of public opinion based on ideas held in common as to the rights conferred by the payment of bridewealth. Nowadays [178] the lieutenants of the royal villages have very much less power, and bridewealth is not often paid. The village is held together by the various ties of kinship and affinity between its members, and to a slight extent by the restriction of movement from one village to another. This control, exercised by the Administration through the [648] system of registration of adult males, is largely ineffective except in the Resettlement Areas.[2] Men and women are more or less free to live wherever they can find relatives, and if they quarrel in one village they can move to another where they hope life will be more pleasant. There is no general rule to which appeal can be made concerning whether a married couple should live uxorilocally or virilocally. Hence a quarrel between man and wife or between affinally related people may lead to a split in the village, and the dissident section may attempt to form a village of its own or attach itself to another village. It is therefore in the interests of the [622] headman that quarrels in his village should be settled as rapidly as possible, and he has therefore an interest in the private lives of his people even though they may not be his close relatives. His interests are represented by his lieutenants and are shared by everyone in the village who wishes his own to be a large prosperous and happy village. The theme of the good and happy village recurs in many [183] of the formal situations of Ngoni life and finds expression in much of local action on a village basis, as for example in the competitive dances, the division of food at a ceremony and the organization of the religious sects.

We find therefore that the headman and his lieutenants participate [622] in the ceremonies of marriage and in marital quarrels. Conversely the headman is brought into relationship with the married couple by the allocation to him of pots of beer whenever there is a general distribution even though he may not be at the ceremony. Other important men and women similarly participate merely because of their common membership of the village. For example, a hoeing party was led by a middle-aged woman who was described as 'an important person' in the son-in-law's village. She was in fact

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[2] Areas which have been reopened to settlement by Ngoni and other tribes since 1941 with various restrictions on agricultural methods and on population. About ten per cent of Ngoni live in Resettlement Areas.

621 related to him but her participation was explained in terms of her status as an 'important person' and not in terms of this relationship.

A man can move from his village to his wife's village if he or she
591 has quarrelled with his kinsfolk, and a quarrel with her relatives may
178 cause them to move in the reverse direction. These shifts from one kind of residence to another occurred in a different context in the old system. We have seen that there was sometimes a change from uxorilocal to virilocal residence, for at the beginning of his first marriage a man might leave his wife living uxorilocally until he had paid bridewealth. If there was a quarrel between a man and his wife's kin at this stage, they might try to delay his taking the woman to his own village, although they could not entirely prevent him from so doing. Hostility found expression in the desire to keep him under close surveillance, not in the desire to be rid of him. This old idea still persists to some extent, as we have seen in the story of Abner and Esther (p. 79). Esther wanted her husband Abner to live in her village so that her father could see that he looked after her well. A man may refuse to allow his daughter to move to her husband's village until he is satisfied that the young man is a good husband. This line of action, however, now applies only at the beginning of a marriage and in families where a man is determined to maintain his control over his growing children. When there is a quarrel involving a couple who have been married for a long time, it is then too late to hope that a man will improve his behaviour under the eye of his wife's father. If he quarrels with his father-in-law it is better that he should go and live in his own village.

The significance of the reverse move, from virilocality to uxorilocality, was different in the old system from what it is in the new. In the light of what we know of the South-Eastern Bantu and by reference to the present position among the Ngoni it seems probable that in the old days it did happen from time to time that a man sought refuge with his wife's agnates. Yet from the dearth of instances of this in my genealogical material it would seem that this cannot have occurred very often. Once a man had established himself in virilocal residence he usually stayed there. If he quarrelled with his kinsfolk all he could do was to move off and make his own segment distinct from those of his brothers; he could not seek permanent shelter with his wife's kinsfolk. Nowadays he can do so, and it may be easier for him to change to uxorilocal residence than
621 to try to form his own group. In the old days the transition from what we now call a cluster to a division or from a division to a village
178 was a gradual one. Spatial separation between minor segments of the same order was initially a matter of yards and with successive moves in the tribal migration became a matter of miles. Nowadays
648 there is a definite number of villages recognized by the Administration and a man who establishes his own residential cluster of huts is, or
361 at least was until very recently, in danger of punishment for not living in a recognized village. For many years there was an

Administrative ruling that no new village could be started without 648
a minimum of ten taxpayers, and earlier it was the policy of the 361
Administration to decrease the number of independent villages. These policies have now changed, and throughout the period there have always been devices for lessening their effect, but it is still true
that sometimes the easiest way for a man to flee from his kinsmen is 591
to build his hut in his wife's village.

Case history 14

Samuel's father was headman of a village. Samuel[38] married in the village and had four sons by his wife before she died. His second wife lived with him virilocally and after she had borne two children she committed adultery with one of Samuel's elder brothers. Samuel divorced her and married a third wife who died soon after. Samuel accused his brothers of [754]
killing his first and third wives by sorcery. He married a fourth wife and went to live in her village, taking with him his four sons by his first wife and the elder child by his second wife. He is still registered at his father's village and attends there whenever the District Officer tours the area, but he has little to do with his brothers.

In this way the movements of men and women between villages 591
reflect the struggles between kinsfolk and between affines. Besides
the formation of new villages, which goes on despite obstacles 621
placed in the way, there is a continual reshuffling of the elements making up the existing villages. Through marriage a man acquires affines and through them places where he can live if he wants to do so. This change in the structure of the village is therefore related to the new role of villages in the administrative scheme, the new [178]
rules for their formation, and the new kinds of movement from one village to another. By reason of his marriages the number of moves that a man can make if need be is increased.

3. *Polygyny*

The other important structural change that has been directly 595
related to external influences is the decreased incidence of polygyny. 178
In the old days a man acquired dependants in two ways, by begetting them and by capturing them. Wealth consisted of cattle and
dependants, and the well-remembered names of the past are those [556]
of patriarchs with dozens of wives whose offspring now form the core of many villages. Nowadays the missions oppose polygyny, wealth can be acquired in other ways than by the marriage of daughters, and a variety of relatives with different genealogical ties can be gathered round one as dependants. It is rare to find a man
with as many as five wives. With the decline in polygyny the [554]
system of ranking that was used to organize large compound
households has fallen into decay, and except when the issue has been [592]
complicated by the payment of bridewealth, wives are simply ranked in chronological order of marriage. With the increased importance

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[38] See genealogy, p. 81.

N 595 of maternal ties, the cleavage between sets of father's children is an 178 expression more of their different matrilateral affiliations than of N the different status of their mothers. A child will be sent to its 855 own mother's mother rather than to its father's wife's mother, although some children do go to the latter. Samuel's children by his first and third wives [3] were reared by their father's fourth wife's mother, but they maintain contact with their own mothers' relatives.

These particular structural changes have taken place without any great conflict of values. It would appear that although polygyny was an essential feature of the old system, there was no idea that it was wrong to remain monogamous. Indeed in any community with a normal sex ratio, the majority of men must be monogamists and it is not surprising that monogamy is tolerated however much polygyny is the goal of ambitious men. Among the Ngoni the decline in polygyny over the last fifty years has not outraged traditional values. In like manner, we have seen that traditionally N a man's mother and his wife's mother should share the rearing of 855 his children. This division is in accord with the statement made 183 frequently by aristocratic Ngoni that when distributing gifts a man ought not to favour his own parents more than his wife's. Both these injunctions indicate that even in 'the time of peace', however clearly a man's children by a wife for whom he had paid bridewealth belonged to his group and not to hers, the claims of a wife's kinsfolk and their interest in the children of the marriage were recognized. Ngoni say that children ought to live in their father's village, but this is a statement of the same order as the oft-N reiterated remark that the Ngoni pay bridewealth. Ngoni make M these statements because these are part of the index of their tribal 591 identity, not because they have observed them to be true. The 177 facility with which married couples live uxorilocally is no doubt partly due to the influence of the matrilineal uxorilocal Cewa and other tribes, but we cannot regard this as the only operative factor.

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4. *The moral significance of sexual activity*

In the treatment of sexual activity in girls there does appear to 836 be a certain moral dilemma. We have observed that the Cewa 177 believed that a girl who did not copulate at puberty would die, and that the Ngoni held that a girl should be chaste until she was married, which was some time after puberty. The seclusion of girls was, and is, a matter arranged by women and one in which men have very little say. It may be on this account that the Cewa N view has largely prevailed, for the Ngoni took many women captives M and in the early stages of the migration from Natal there seem to 562 have been more Ngoni men than women. The women were not so carefully indoctrinated into the Ngoni way of life as were men 177 captives, for the women's regimental system was never as highly

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[3] See above, p. 109

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developed as the men's. It is to be expected, therefore, that there would be greater Cewa and Nsenga influence in those affairs controlled 562 by women than in political and military matters, which were 177 organized by men. This is borne out by linguistic evidence, for N while many of the words, but not all, pertaining to affairs of state M are of Ngoni origin, the words now used in the seclusion of girls are [192] drawn from Cewa and Nsenga. N

We find therefore that it is the bearing of children before marriage 848 and to a lesser extent pre-marital impregnation which are disapproved of rather than pre-marital copulation. The real contrast in attitude N is between pre-marital copulation and adultery. 837 We have seen that in the old days adulterers were killed by order of the chief. The punishment of adultery was a process involving headmen, lieutenants and other important men. The abhorrence of adultery remains despite its great frequency and the prohibition on killing adulterers. An adulterer is a thief, stealing the rights of another man and endangering his marriage. Even when the wife of a labour migrant bears a child and it is in danger of *mdulo* until it can be 'taken up' (p. 87) she cannot openly call in a man with whom to perform this rite. She must either get a man to come in secret or obtain expensive medicines which remove the danger. In like manner, if her husband is impotent, there must be no public recognition of any extra-marital N intercourse, for impotence is shameful and not to be admitted and [842] cannot justify the intervention of another man. It is thought regrettable that a woman should grow old without bearing daughters to help her pound maize and sons to clothe her in her old age. Yet when medicines have been of no avail and her husband calls in a seed-raiser he must come in secret and later be rewarded covertly. N Similarly the sexual activities of children must be conducted 836 discreetly. Here, however, a much more tolerant attitude is taken and there is not the same need for secrecy. There is no chaperoning of unmarried girls but only of married women whose husbands are away. There is no inspection of girls at marriage, and one informant said that if after puberty a girl has no lover with whom she can sleep, her grandmother will call in a young man to copulate with the girl in the grandmother's house to see if she is proficient, and that for this he would be rewarded by the grandmother. From one point of view we may say that there is pre-marital freedom, with discretion, and marital restriction of sexual activity. Pre-marital intercourse does, however, have a moral connotation, and it is held that the girl who sleeps too easily with all comers before marriage will continue thus after she is married. N The need for discretion in premarital affairs is in some part due to the activities of the missions, working [797] at the village level through deacons, elders and women helpers. Yet in general no action is taken by the local Christian group in the village unless the pre-marital sexual activities of its members are conducted in such a way that it is no longer possible to ignore them.

Sexual intercourse is the critical activity of marriage. Within 000

833 Sexual intercourse is the critical activity of marriage. Within the marriage bond it is not merely permitted, it is right and proper and positively sanctioned. All intercourse is dangerous, whether marital or not, and indeed it is perhaps the licit social significance of marital intercourse that leads to the attribution of mystical
843 significance. While a woman is pregnant, her husband can and indeed should sleep with her and with her co-wives, for it is not her husband's mere copulation with others that endangers her child, but frivolous and illicit intercourse with the wife of another or with some woman he has no intention of marrying. The moral code supports the social order, and the infant is born live into a righteous and well-regulated family. Otherwise it will not be born, or be born dead. Thus runs the belief.

5. *Christian marriage*

794 We have noted that, whatever were the intentions of the framers of
581 the 1903 Regulations, Christian marriage ceremonies do not now have any legal significance, either in the Administration's courts or in the Native Courts. They are, however, significant in the eyes of the missions concerned, and sanctions are employed to ensure that all Christians are married in church. Marriages usually take place at the mission itself and there is some sort of preparation beforehand to verify that the couple concerned are aware of the religious implications of the marriage. Important people are sometimes married in a village church and the ceremony is attended by many people. These rites, both at the mission and in the village, involve the local groups of Christians and serve to integrate the members. The barriers against marriage outside the sectarian group might under some conditions lead to Christian or even sectarian endogamy but among the Ngoni this has not taken place. If a couple are anxious to marry and cannot by reason of a religious disparity, the pagan will usually join the church and then proceed to marriage as soon as the rules of the denomination permit. After marriage, a number then cease active participation in the affairs of the church, although they usually continue to regard themselves and are regarded as Christians. The fairly rapid growth of Christianity in the last fifty years makes it impossible to tell as yet whether an endogamous community will be formed. In any case, the Christian community stretches like the rest of Ngoni society to the Copperbelt and the towns of Southern Rhodesia, and there are facilities for Christian labour migrants who wish to marry Christian girls in the towns.

792 The missions have attacked polygyny, the inheritance of widows, the ceremony of 'taking up the child', belief in *mdulo* and pre-marital
[597] copulation. In addition, the Dutch Reformed Church Mission has opposed the drinking of beer, and in theory but not as yet in practice, payment of bridewealth. The prohibition on the drinking of beer has led to the exchange of gifts of cooked food between the two sides in the various ceremonies of marriage, without making any important difference to their content and meaning. The missions have had

varying success in their other aims. The number of people with 797
dozens of wives has decreased to zero, but this has been due to the
operation of other factors as well as pressure from the missions.
Whether the incidence of polygyny as a whole, that is the ratio of [595]
monogamist to polygynist men, has decreased is difficult to assess,
since genealogical information is incomplete on barren wives and
the wives of men whose descendants are now scattered. The fact
that only six per cent of widows are inherited is due to the general [587]
change in the nature of marriage, the decline in the incidence of
bridewealth, and the changed significance of residence, as well as
to Christian endeavour. In these matters the general flow of events
has been on the side of the missions. The same cannot be said for [836]
premarital copulation and for the ritual of 'taking up the child'.
Censure from the mission is an additional hazard to be avoided in
premarital intercourse, but it has not prevented it. In their opposition
to the belief in *mdulo* and the ritual intercourse which follows as a 859
consequence of the belief, the missions are aided by the teaching of 177
hygiene and Western science in the schools, but there is no support
from indigenous values. In this matter it is difficult to establish
any trend, but the way in which attitudes are changing towards
traditional mystical sanctions seems to be that the operation of the
sanction is still believed in, but that the techniques for counteracting
the sanction have been added to, so that the powerful medicines of
Western civilization, particularly the sulphonamides, can be used [278]
to counteract the machinations of sorcerers. It does not seem likely
that the belief in *mdulo* will disappear easily.

Thus in the system of values sustaining marriage, we find that 581
there is some inconsistency. The teaching of the missions, the values 177
associated with the old Ngoni way of life, and those deriving from the 182
matrilineal tribes of the region conflict with one another on some
points and support each other at others. The situations of the present day provide for considerable freedom of choice within these conflicting traditions, so that in one situation a man may adhere to the mission teaching in condemning the bigamy of another man in his village, and in another situation take part in the marriage negotiations for an additional wife for his chief, in accordance with the old Ngoni system of values. A man condones the secret lovers of his unmarried daughter, but when she becomes pregnant brings them to court with the approval of the mission.

6. *The transfer of rights*

The rights transferred from one group to the other by marriage 583
payments in the old system were clearly defined. By the payment 593
of 'snuff-box' the man's patrilineal kin group acquired rights *in* 613
uxorem in the woman, and by the bridewealth they acquired rights
in genetricem.[4] If the woman committed adultery after 'snuff-box'

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[4] I have taken these terms from the interesting paper by Mrs. Bohannan on 'Dahomean marriage: a revaluation', *Africa*, xix (1949), p. 278 to indicate rights in a woman as wife and as mother respectively.

583 had been paid, it was her husband and not her father who initiated
593 proceedings against her and her lover. Residence was equated
with political allegience, and therefore it was inappropriate that
613 her children should live in their father's village until he had acquired
[591] rights in them, that is until he had acquired rights *in genetricem*
in his wife. These rights were transferred with the payment of
bridewealth. The holder of the rights both *in uxorem* and *in*
genetricem was the husband, but on his death the rights *in uxorem*
passed to a junior patrilineal kinsman of the same generation while
the rights *in genetricem* remained in the man's own segment. If the
woman was barren, it was incumbent on those who had been
recompensed for the transfer of rights *in genetricem* to provide
another wife whose children occupied the position of children of
the barren wife.

Nowadays the legalization payment confers rights *in uxorem*
[428] and bridewealth rights *in genetricem*. Rights *in genetricem* are
inherited in the same way as before, but rights *in uxorem* do not
pass automatically to a younger brother of the husband on his
death. If a widow agrees to be inherited, and a younger brother
[587] willing to have her, then he acquires rights *in uxorem* over her without
any further legalization payment. If, however, either no younger
brother is forthcoming or the widow is unwilling, the rights revert
to the woman's own group, who cannot themselves exercise them.
When she takes a new husband he makes the legalization payment
to them, and not to the kin of the dead husband, and thereby acquires
his rights *in uxorem*. If rights *in genetricem* have already been
transferred to the dead husband, the new husband can never acquire
them. If at the beginning of a marriage bridewealth is offered, its
acceptance transfers both rights *in uxorem* and *in genetricem*.

611 Whereas the rights *in genetricem* were definite in the old system,
591 in the new they are vague and of doubtful value. In the old scheme
they were related to position in a residential system of which one
602 of the generating principles was patrilineal descent and succession.
178 With the breakdown of this system one can no longer say so clearly
that a man belongs to one group of kinsmen rather than another.
The lineage segment is no longer a significant group with spatial
reference and a hierarchy of authority. Kinsmen, however related,
who live near one another tend to help each other, visit one another,
and support each other in quarrels and in visits to court. Some of
the men and women who go to court in support of A will also go in
support of B, while others will not. B shares certain supporters with
C, and so on. The men and women who are relatives and neighbours
611 cannot be divided into a collection of mutually exclusive groups,
for membership of one man's group partly overlaps with membership
591 of another's, and every man has, as it were, a different set of people,
602 some of them patrilateral kin, some matrilateral, and some affines,
whom he is prepared to support. There is no widely-held indigenous
theory of procreation such as in other cultures provides a rationaliza-

tion for associating children with one parent rather than the other. 611
There is only the one proud dogma that the Ngoni, unlike their 591
neighbours, are a patrilineal virilocal people. This reflects the 602
actual dominance of the virilocal mode of residence but does not furnish a rule to which appeal can be made in specific cases. The only definite unit to which a man can be said to belong is his village, [621]
and such few attempts as are made to enforce rights *in genetricem* are expressed in terms of residence in villages. In marriages that are made outside the tribe, rights *in genetricem* become significant, 648
for a child is not likely to wander to and fro between one tribe and 583
another hundreds of miles away in the same way as children change from one village to another within the kingdom. Here then we find more attention paid to the payment of bridewealth and to rights *in genetricem* and these rights are enforceable through the police checks on buses and lorries.

If a man is away working his interests are represented by his 593
kinsfolk. They cannot exercise his rights *in uxorem* for him, but if they are violated they can act on his behalf. His permission is necessary, however, before they can proceed to the court, and if they are awarded damages then they are under some sort of obligation to hand over the money to him when he returns. There was no situation comparable to this in the old system, for men did not go away for years at a time, and the violation of rights *in uxorem* was punishable by death.

The position of the man as holder of rights *in uxorem* over his 593
wife is reinforced to some extent by mystical ties believed to connect 581
the couple, and at the same time the man can fortify his rights by the use of medicines to ensure fidelity. During pregnancy, for a short while after childbirth, and during menstruation, the actions of man and wife affect one another automatically, and each is placed in danger of illness by the failure of the other to observe their mutual obligations. To protect his rights *in uxorem* a man may doctor his wife so that possible violators may be deterred by the fear of mystical retribution as well as action in the courts.

7. *Mystical beliefs and marriage stability*

The mystical connexion believed to exist between a man and his 581
wife serves to define their relationship more closely, for this same 602
connexion does not hold between a woman and her husband's kin or between a man and his wife's kin. The adultery of a pregnant woman's brother-in-law, like her husband's adultery, may threaten the peace of her local group of relatives and friends, and may even lead her to change her village or go to the court as a supporter. The important distinction between the adultery of her husband's brother and her husband's adultery is that the former does not automatically endanger her delivery while the latter does. A man confesses his adultery when his own wife gives birth, not when her sister is in labour. This connexion is definite, and is not extended

4: Barnes E-5 (1946-1949)1951 FR5 Ngoni FR5
Mpezeni
Maravi FR9

N
581 to the kin of the married couple however much the kin may intervene
602 in the marriage and act on behalf of the couple.

N The belief in the occurrence of such diseases as *mdulo* and *lugola*
753 supports the values of Ngoni society, and acts as a check on behaviour
182 which is wrong in Ngoni eyes. Beliefs in the efficacy of medicines
626 do not have such a straightforward moral connotation, for in theory
N it is as easy for a man to harm the wife of someone else by the use
755 of medicines, or for a woman to harm her co-wife, as it is for a man
754 to harm his cuckold. Medicines can, therefore, be used for good or ill,
N depending on the intentions of those who manipulate them. Even
626 the possibility of anti-social manipulation of medicines can, however,
have a positive effect, as we have seen in the way in which a wife is
encouraged to live demurely without attracting the attention of
other men, lest when she spurns their advances they retaliate with
medicines to harm her in childbirth. Old people like to maintain
that in 'the time of peace' the Ngoni did not use medicines at all,
N although from what we know of the Zulu and other South-Eastern
[171] Bantu tribes from which the Ngoni came, this is almost certainly
untrue. 'Our spears were our medicines', they say, meaning that
when the state was powerful both internally and in relation to their
neighbours, law and order and the wishes of the Paramount Chief
could be enforced by physical sanctions. Only now, when the
chieftainship has lost so much of its former power and men and women
can do wrong without fear of punishment in the courts, is it necessary
to fall back on mystical processes in an attempt to control other
N people's behaviour. By contrast the mystical diseases which can
M only be caught through socially disapproved actions operated at
[626] both stages of Ngoni history, although *mdulo* itself, unlike *lugola*
[177] and other similar conditions, appears to have been introduced by
the Cewa.[6]

N To a lesser extent the fear of venereal disease may be said to act
753 as a stabilizing factor, since men admit that they are cautious in
834 running after women on farms, in Fort Jameson and away in the
164 big towns, because they fear syphilis. In the village an infected
woman, if she cannot conceal her condition, is shunned by careful
men, and a newcomer to the village who starts to flirt with her may
be taken aside by an older man and warned of the risk of infection.
It is an actionable offence for one partner in a marriage to transmit
venereal disease to the other. Venereal disease is, however, commonly
believed to be widespread and the fear of it cannot be said to be an
N efficient deterrent of adultery.

581 Despite the mystical safeguards and despite the fairly well defined
rights *in uxorem*, marriage is not regarded as a permanent bond.
N There is a maxim 'Never confide in your wife, for tomorrow you
may divorce her.' Consanguinity is permanent and unchangeable
602 and a man should confide in a brother rather than in his wife. The

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[6] Cf. Read, op. cit. 'The moral code . . .', p. 7.

unity of full-siblings is the result of the established relationship 602
between their mother and father. A man's relationship with his wife may in turn lead to solidarity between their children, but until his wife has stayed with him for many years and borne him live 593
children their own relationship is always uncertain. He must acknowledge that she too has rights, that she must be clothed and respected and must be slept with. He must not abuse her at a beer party or hit her too often, and he must not try to trap her into adultery. When she runs away, he must go after her to apologize.

8. The support of relatives

It is the tenuousness of the marriage relationship which necessitates 581
the co-operation of the relatives in the marriage. There are occasions 602
when affines quarrel, as when a young woman is encouraged by her husband's kin to remain in their village to be delivered of her first child and at the same time is under pressure from her own relatives to move back to her own village for the confinement. A man who is anxious to build up his own cluster of huts in a village may attempt to force his sons and daughters to bring their spouses to live near him against the wishes of his children's affines. These struggles, [591]
where they occur, are expressed in terms of residence, for it is common residence that welds kinsfolk together. But in general affines co-operate rather than quarrel. Litigation about marriage payments is rare, and frequently divorces are granted without consideration of the return of marriage payments. During a marriage it is more important that the married couple should be exhorted to adjust themselves to each other and be tolerant of each other's foibles, than that each side should insist on its formal rights. Old people try to prevent marriages they consider unsuitable, but they do not usually try to make difficulties once a marriage has taken place. The successful marriages of a man's children bring him grandchildren to care for and play with, and *children's parents-in-law* who will welcome him and give him food, even if they do not always add to his own cluster of huts.

To some degree people appear to be afraid of the sorcery of an [754]
offended affine, but this is not a well-developed idea, and more frequently people express their reasons for trying to patch up a 581
marriage that is in danger of breaking in terms of the need for everyone to 'live well together', without bringing troubles into the 621
village. The well-being of the village and of the local group of kinsfolk within it has ultimate value for the Ngoni and is an end in [181]
itself. It follows that serious quarrels can only be resolved by means of some new residential alignment, involving moves from one cluster to another, and from one village to another. The village itself does not exist in isolation, and a village thrives because 628
of the ties that link it to other villages in the vicinity. Marriages 602
link villages together, by the bonds of affinity which cut across 581
village boundaries, and by the interaction between groups of affines

628 in different villages. This distinction between the two groups
602 linked by marriage is symbolised by their spatial separation, and by
581 the existence of 'the man's village' and 'the woman's village', and
we have seen how in the story of Daniel and Deborah (p. 82), Daniel wanted Deborah to be warned not in his village but in her own. He wished her own kinsfolk and her own local community to express their condemnation of her conduct, and this could only be done on their own ground. Without their co-operation it would have seemed that it was merely Daniel's relatives who were accusing Deborah, and trying to make trouble for her for no good reason. With the co-operation of her relatives it was possible to pass censure on Deborah with less fear that the marriage might come to an end.

594 It is because the marriage relationship is one which involves other kinsfolk as well as the married couple themselves that the elementary family is not an important grouping in Ngoni society. We have seen that in the old days children left their mother's hut on weaning and went to live with their grandmother or their parents' captor's great wife. A man slept in the same hut as his wife and their unweaned child, but their waking lives were spent with other people. Nowadays the pattern is more variable. Some children stay with their parents until they are old enough to sleep in a dormitory with other children of the same sex. They are fed and clothed by their parents from infancy until they grow up. Yet most old women still gather round themselves groups of three or four grandchildren for whose food and shelter they are responsible. The provision of clothes and school fees is a more difficult thing for an old woman to manage, and for these a child usually turns to its father, if the father is living near. Even the children who live in their parent's hut, however, soon join a play group and spend much of their time away from their parents. Other boys and girls who are
[603] sent home from Southern Rhodesia may have to rely entirely on their grandparents for clothes if their parents do not send money for them. A man who is richer than his neighbours, particularly
[556] if his riches are in money rather than in cattle, is entreated by his relatives to buy them clothes and other necessities, and he may make himself responsible for the clothing of his siblings' children.

Financially, then, the elementary family is a more distinct grouping than in the days when the only form of wealth was cattle, controlled by the heads of segments. But even financially it is not yet a very clear cut grouping and the same is true in other fields of activity. A man and his wife work together in their garden, and they and their children live on its produce, more or less. On the other hand, at the beginning of a marriage they may be dependent on the parents of one or the other for their food and may pool their resources with them. Many meals are taken in common in the village, a group of neighbours cooking for each other in turn and feeding themselves and their children and grandchildren from the same dishes. In court, a woman looks for support to her own kinsfolk as well as to her husband and his kin, while a man tries to enlist the support of his own kin but not usually of his wife's kin if the dispute has nothing to do with marital affairs. At birth and death the division of labour and responsibility is mainly on sex lines. In general we may say that the elementary family does not emerge as a grouping of importance because there is no system of elementary families in which it can do so. Village is posed against village in dances, songs, the collection of tax, hunts, division of food, and so on. In other situations, one group of kinsmen act as a body in distinction to another group of kinsmen who are their affines. We have demonstrated this for the ceremonial situations of marriage and for the resolution of quarrels. In the intimacies of the hut, man and wife are in a simple and specific dyadic relationship which does not admit of substitution. To some extent, their infant, from conception to weaning, is a helpless appendage of this relationship. From weaning on, children acquire other social relationships of their own. The distinction drawn between marriage and the care of children is well illustrated by the remark made by an old widow when I asked her why she did not marry again. She replied 'I am now too old for marriage. My job is to look after children.' The missions encourage men and women to bring up and care for their own children, particularly where the children's grandparents are pagan. At the same time the importance of the economic ties that link every Ngoni household with the rest of the world is increasing and it is easier for men to find extra money when they are young and middle-aged than when they become grandparents. These two factors may lead to an increase in the importance of the elementary family, but it is also possible that the number of children sent home from Southern Rhodesia to their grandparents may grow as more women go there to join their husbands, thus increasing the responsibilities of the old towards their young grandchildren. 594 [628] [799]

9. *Kinship structure, marriage payments and divorce*

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We have seen that whereas in the old days divorce was infrequent, it is now comparatively common. We have also seen that prior to 1898 the kinship structure of the Ngoni was based on localized agnatic and quasi-agnatic lineages, for the captor-captive relationship was similar to that between father and child. These lineages are now no longer effective social groups, and individuals act and live together with cognates and affines related to them in a variety of ways. This parallel change in divorce frequency and in kinship structure provides confirmation for the hypothesis put forward by Gluckman that divorce is rare and difficult in tribes organized on a system of marked father-right, and frequent and easy to obtain in other types.[*] This hypothesis was suggested by a comparison of different tribes which Gluckman divides into two types. Among [586] [613] 121 114

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[*] Gluckman, op. cit., p. 190.

119 others, the Zulu and Nuer have agnatic lineages and rare divorce,
121 while the Lozi and Ila lack agnatic lineages and have frequent divorce.
The Ngoni before 1898 appear to belong to the first type and the
Ngoni of the present-day to the second. In 'the time of peace'
178 the fertility of the married woman was transferred by the payment
602 of bridewealth to her husband's lineage segment, and the children
whom she produced were recruits to that segment. Her agnates
could never claim the children for their matrilateral segment.
Associated with this system were the levirate, the sororate, and the
right to enforce betrothal on pain of the return of gifts. The simple
legal family was a relatively stable unit, and its position within the
lineage segment was determined rigidly by the ranking of co-wives.
Divorce was rare and could be effected only on the initiative of the
husband. By contrast the affiliation of children nowadays is not
fixed, and the very groups themselves to which they would formerly
have attached themselves are no longer important. The children
borne by a woman, whatever marriage payments have or have not
been made for her, are potential recruits to local kin groups led by
a variety of different relatives. Compared with the past, the simple
legal family is unstable and divorce is frequent and easy. As might
be expected, the levirate and sororate and enforceable betrothal,
the trappings of the old system, have declined in importance.

114 Gluckman also suggests that in general, marriage payments fall
in value with the decreasing dominance of patrilineal descent,
although he cites the Ila as a virilocal people with high marriage
payments, no agnatic lineages and frequent divorce. He regards
the influence of property on marriage payments as secondary, but
writes: 'On this hypothesis, which needs more testing, the amount
of goods transferred and the divorce rate tend to be directly
associated, but both are rooted in the kinship structure. It is
rare divorce which allows high marriage payment, rather than high
marriage payment which prevents divorce.'[7] The Ngoni material
121 suggests that payments, kinship structure and divorce frequency are
connected and that among them, as among the Ila, frequent divorce
does not preclude high payments.

We may distinguish three phases in the history of Ngoni marriage
583 payments. Prior to 1898 bridewealth varied in amount from one to a
586 dozen beasts, depending on the status of the woman's father. In
178 addition, recently captured women were married, both by men of
high and low status, without payment of cattle. There is no
indication that divorce was any less rare in one section of the
community than another. In our pre-1898 sample, as set out in
Table I, only one marriage out of eighteen ended in divorce, despite
the absence of payments in half the marriages. It is true that in
the single instance of divorce there were no marriage payments,
yet even this marriage does not suggest marital instability as we

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[7] Gluckman, op. cit., pp. 192, 200.

have been discussing it. Divorce took place because the man, a 583 recently captured Kunda, ran away back to his former tribe leaving 586 his wife, daughter of one of Mpezeni's lieutenants, behind in her father's village. In 'the time of peace' marriages were stable, with 178 or without payment. The wealthy men were the politically important men, and indeed Wiese's assertion that men married off their [554] daughters so as to gain the maximum number of cattle[8] may be based on the behaviour of socially ambitious fathers in what was [571] largely an upward-mobile society. Political affiliation effected by marriage was ratified by a transfer of wealth appropriate to its importance in the general field of political and social relations. Divorce frequency and kinship structure were the same for rich and poor, aristocrats and captives, and were neutral factors in determining the amount of marriage payment.

The second phase began immediately after the war of 1898 and lasted until about 1930. At the beginning of this period the tribe as a whole was poorer than it has been before or since. Many cattle were looted in the war and for a long time there was little money in [727] circulation. The majority of marriages without payment were contracted during this phase, and it seems reasonable to associate this in part with the poverty of the people. It is difficult to make any precise estimate of divorce frequency at this time, although we know that many Cewa and Nsenga women who had been married before 1898 deserted their husbands and returned home when British control was established. There does not seem to be any evidence for supposing that at this period women moved from one husband to another within the confines of the Ngoni kingdom more quickly than they do now. It is perhaps safe to say that the low level of payments was due partly to poverty but also partly to the general uncertainty about the future, about the kind of society which the White Administration was building for the Ngoni. Evans-Pritchard has stressed that 'It is morals that censure divorce and law that refuses to [114] recognize grounds for divorce which ensure the stability of the union of husband and wife.'[9] The laws and moral code that had been enforced by the old chieftainship had been shaken by the defeat of 1898. The payment of bridewealth had defined legitimate expectations of behaviour, obligations and rights, within an organized system of social relations which had been shattered. While many Ngoni must still have regarded marriage with payment of bridewealth as morally right and desirable, they must also have been aware of the greatly increased risk they were running when making these payments, even if they had the cattle to make them. Rights *in uxorem* and *in genetricem* which were socially recognized but could not be enforced through the machinery of the State were hardly

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[8] See above, p. 3, footnote 3.

[9] Evans-Pritchard, 'Social character of bride-wealth, with special reference to the Azande', *Man*, xxxiv (1934), p. 174.

583 rights at all. The payment of bridewealth had in the past enabled
586 affinally related groups of kin to 'foresee the behaviour of one another
178 in given situations since the payments evoke the behaviour'[10] but
now the given situations were unlikely to occur. We may say then
in this second phase poverty and uncertainty about the overall
system of social relationships within which marriages would continue
caused marriage payments to be low and, in some instances, nonexistent.

The gradual increase in power of the Native Authority and the
[436] contemporaneous increased participation in the money economy
have brought about further changes in the third phase, beginning
round about 1930. In recent years the value of the legalization
payment has increased and seems likely to increase further. This
change is demonstrated in Table VII, although we must recall that
the time classification in this table is by year of marriage, not year
[171] of payment. Similar increases have been noted among other
Eastern Province tribes, notwithstanding cultural differences between
them and the Ngoni. This increase has been possible because of the
[465] rise in wages and prices, but we cannot regard this as the sole cause.
This simple hypothesis is ruled out by the simultaneous fall in
[435] bridewealth, as suggested by Table VI. While wages have risen, the
rights associated with bridewealth have declined in importance and
those associated with the legalization payment have remained
significant. A high payment gives each particular marriage the
mark of stability, yet at the same time the process which enables a
young man to offer as much as £10 for his bride without appealing
to his kinsmen for help has also made his expectation of life-long
marriage with her less than it would have been thirty years ago,
when he would have offered only 6s. Men earn money in Southern
Rhodesia and the Copperbelt. They move freely between urban
and rural environments, using the money to make large marriage
[641] payments in the villages. They stand on their own, do not call
on their senior agnates for help, marry where they will, and settle
with that headman whose village most attracts them or is most
conveniently situated for siting a new shop. Yet if in this way
they can free themselves from prescribed affiliation to a kin group,
[581] so can their children do the same. The former structural basis for
stable marriage, the invariable affiliation of children to their agnatic
[613] group, has gone. There is as yet no system of law and morals, nor
[183] sufficient interest in inheritable property, to provide an alternative
means of stablizing marriage. As among the Ila, high marriage
payments accompany frequent divorce.

The hypothesis that increased frequency of divorce among the
121 Ngoni is due mainly to the breakdown of their agnatic system may
171 be supported by comparison with the Zulu and other Natal tribes.
586 Here the old system, characterized by strong agnatic affiliation and

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[10] *ibid*, p. 172.

rare divorce, has survived despite loss of sovereignty, territorial 121
dispersal, economic impoverishment, high incidence of labour migra- 171
tion, and frequent adultery and illegitimacy.[11] The Ngoni, 586
subjected to similar external processes, but in addition surrounded
by matrilineal peoples and themselves largely of matrilineal origin, [581]
have lost their agnatic affiliation and, with it, stable marriage.

It is difficult to see exactly where this trend will lead. The third 121
phase, as I have characterized it, is a recent development. There 583
does not seem to have been any sharp rise in marriage payments 586
until the 1939-45 war. During the war many Ngoni men earned 178
higher wages than ever before in the Army and in industry. It may have been this that was decisive in raising the level of payments. It will be remembered that the thirty shillings minimum for the legalization payment was fixed by law during the war. It may, however, be suggested that if it is hoped by raising the level of payments to achieve stability in marriage, this hope is in vain. Payments may rise if people are in a position to pay more. Higher wages permit higher marriage payments without necessitating further changes in economic life, but in fact these changes are already taking place. Money is needed for more clothes, more food, more education, as well as for higher marriage payments. Payments rise as Africans participate increasingly in the general money economy of Southern Africa. The more they participate, the less marriage is constrained by a kinship structure based on morally significant face-to-face relations between agnates. The higher payments rise the more frequent becomes divorce. This is not a long-term prognosis, for I have indicated above that affiliation is not the only possible determining factor, and it is clear that if more people align themselves with those missions which do not permit divorce, the frequency of divorce as a whole may decline. There are other possibilities, but it seems to me unlikely that any of these other social mechanisms will become effective quickly; therefore the most probable concomitant of a rise in marriage payments in the immediate future is more frequent divorce.

Thus we see that at least for the Ngoni, changes in the amount and distribution of property have had a marked effect on the level of marriage payments, and that this effect can to some extent be isolated from that due to changes in kinship structure and in divorce frequency.

10. Attempts to resist change

The major structural changes taking place in Ngoni society in the 178
last fifty years have not come about entirely unopposed. The 648
Administration, the missions, and the Ngoni people themselves have noticed from year to year how the old order was changing and with varying success have made attempts to control the direction of change.

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[11] Cf. information from Kark cited by Gluckman, op. cit., p. 204, footnote 1

178 648 change. In the field of marriage we have seen that it was the conscious intervention of the Administration which forced the abolition of the death penalty for adultery. It is to some extent due to the Administration, with its emphasis that women must have rights equal to those of men, that divorce is more frequent than it was, though this result does not seem to have been planned. In the eyes of the Administration the important fact is that it is more difficult for a woman to get a divorce among the Ngoni than among the Cewa. Of recent years it has been more concerned with the increase in concubinage, prostitution and juvenile delinquency in the towns, and has introduced measures designed to check the flow of women and children from the rural areas to the towns. As we have seen, one result has been that it is possible for rights *in genetricem* to be enforced in inter-tribal marriages, and bridewealth has therefore more significance in these marriages than in marriages within the tribe.

829 181 The Ngoni people themselves have, on the whole, accepted the changes passively and regretfully. The one deliberate constructive action appears to have been the law made in about 1944 that the legalization payment shall be at least thirty shillings. Apart from this, the Ngoni appear to have been overwhelmed by events. The frustrations of the present time are all attributed to the coming of the Whites, and this in turn provides the reason why nothing can be done to change things. The past, 'the time of peace', is glorified and simplified, and to some extent reinterpreted in terms of the new values which have been acquired in the interim. Thus, some informants said that the Ngoni never fought other tribes, but only invited people to join the Ngoni kingdom. People like to assert dogmatically that adulterers were always killed, that every man always paid bridewealth, that women always married whom they were told, and only reluctantly admit, on closer questioning, that there were sometimes exceptions to these rules. The imputed rules of the past have become the 'customs' of the present, and the adjective *Ngoni* is applied not to what the Ngoni people do today but to what they like to think they did in the virtuous past. *Ngoni* marriage (*ukwati wacingoni*) is marriage in which all the ceremonial observances are carried out in detail, 'snuff-box' and bridewealth are paid, the woman is obedient and fertile, the man dutiful and respectful towards his wife's parents, and in which the couple 'live well together'. This is contrasted with modern marriage (*ukwati wamakono*) in which there is no bridewealth, few ceremonies, little attention paid to obligations towards kin, and in which the woman sues successfully for divorce. Modern marriage is an invention of the Whites, designed to worry the Ngoni. The Whites have conquered the Ngoni, they are the owners of the country, and there is nothing to be done except to keep alive the knowledge of the past.[18]

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[18] Cf. Read, op. cit. 'The moral code . . .', and 'Traditions and prestige . . .', *passim*.

This attitude of resignation, while still very common, has to some extent been replaced by a more constructive attitude among members of the Native Authority bureaucracy. Chiefs, councillors and other officials have considerable political power and are encouraged to use it by the Administration, whose policy it is to strengthen the hand of the Native Authority.[18] Court members introduce changes in law with some confidence, although this is still done under the guise of a re-enforcement of a forgotten traditional law. Chiefs, under increasing pressure from their people and the Administration, endeavour to take action to modify social life in their areas. As yet political action is not very sophisticated, and the workings of the Administration are not well understood. In those fields of activity where Administrative interest is strongest, such as price control, food production, and the amalgamation of villages, the Ngoni response tends to be in moral rather than in political terms. It is wrong that the price of maize should be so low, the good man knows best how to cultivate his own garden, people in a village must live peacefully together. By contrast, in the field of marriage, where the Administration is comparatively disinterested, and where the wishes of the Administration, missions and Ngoni do to a large extent coincide, the bureaucracy has been able to act in a more positive manner. The thirty shillings law is one of the rare legislative acts of the Ngoni chiefs and people, and it is significant that the law was not made until 1944, fifteen years after the passing of the Native Authorities Ordinance. It is said that the law was made so that women could be punished for adultery in the same way as men. At the meeting at which the law was agreed upon, it was also decided that bridewealth should be a minimum of six pounds or one cow. Whereas the ruling about legalization payments is still remembered and increasingly followed, the bridewealth rule has been largely forgotten. This attempt to check adultery by increasing the legalization payment was in general agreement with the wishes of the Administration and more or less with the wishes of the missions. It was possible to envisage a decrease in adultery due to a clarification of rights *in uxorem* without any other major structural changes, whereas the re-introduction of bridewealth as a universal payment could only be envisaged in terms of a return to the patrilineal virilocal residential system of 'the time of peace'. It would hardly have been possible for the Native Authority to have restored the old system had they wished to do so. Ngoni village life is now part of a system wider than the chiefdom and there are other ways of acquiring wealth and status than within the residential system and at the pleasure of the Paramount Chief.

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11. Marriage in an omnidirectional kinship system

We may characterize the change from the old order to the new

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[18] Cf. Barnes, op. cit. 'Some aspects of political development . . .'.

4: Barnes E-5 (1946-1949) 1951 FR5 Ngoni FR5
Mpezeni

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I. Preparing meat for a gall-bladder ceremony. The leader of the bride's party sits on the left with her helper while the meat is cut up by the master of ceremonies.

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II. Bride kneeling on mat outside her husband's mother's hut. Standing behind her are the three women of her party.

[Facing P. 126]

178 as one from a graded segmentary society organized on a basis of
patrilineal descent and modified by political promotion to a society
of villages organized on a basis of omnidirectional kinship. In the
past a man lived in the same place as his father and in charge of the
591 segment allocated to him by his father. Now a man lives where he
611 can find relatives of one kind or another who may be related to him
agnatically, cognatically, affinally, or by any combination of these
602 ways. He is not even restricted to consanguineal relatives, as in
571 cognatic kinship systems, for he can affiliate himself to some person
178 who is linked cognatically neither to him or to any of his potential
descendants, as when he goes to live with his father's wife's mother's
brother. Genealogical connexion can be traced along all possible
paths and there are no mechanisms by which one path is automatically
favoured or by which the length of a path is restricted. In
consequence the genealogical constitution of any local group of
relatives is complex, and every man is a potential recruit to many
local groups. He selects between the numerous possibilities open to
him on the basis of his own inclinations and in response to the
various pressures exerted on him by his siblings, his parents, his
wife, her parents, and others. Once he has made his choice he can
always change his mind and move elsewhere if he finds his neighbours
[556] irksome. His wealth, either in cattle or money, is his own and he
can take it with him when he moves. There are no rights in land
[823] (with the one exception of dry season gardens) which might otherwise
tie him to one particular spot. As with residence, so with marriage
581 payments, the formal and informal procedures of marriages, and the
values associated with them. In all, considerable variation is
tolerated. Indeed, we may well regard variation as a necessity in
571 this system, for every man is subject to a mass of potential conflicting
claims and he cannot possibly honour them all simultaneously.
Variation occurs not because of different practices by various sections
of the population but rather because of different individual decisions.
A man decides for himself whether or not he will pay bridewealth,
or take a hoeing party to his wife's mother's garden, or be suspended
from the sacraments for marrying a second wife. Yet although
he makes these choices himself, he is all the time subject to social
pressure from kinsfolk and neighbours who will be affected by his
decisions and who therefore try to influence them. A woman is
not quite so free as a man, but she too can make many decisions for
herself, and her relatives must appeal to her if they wish to influence
her, for they cannot force her against her will. Man and wife living
together are in a unique relationship which is personal and non-transferable,
yet they live in the midst of kinsfolk and the well-being
of one relative is the concern of all. The quarrels of a married
couple are a danger to the cohesion of the local group in which they
live, while the longer they live together, fertile and peaceful, the
greater the local solidarity.

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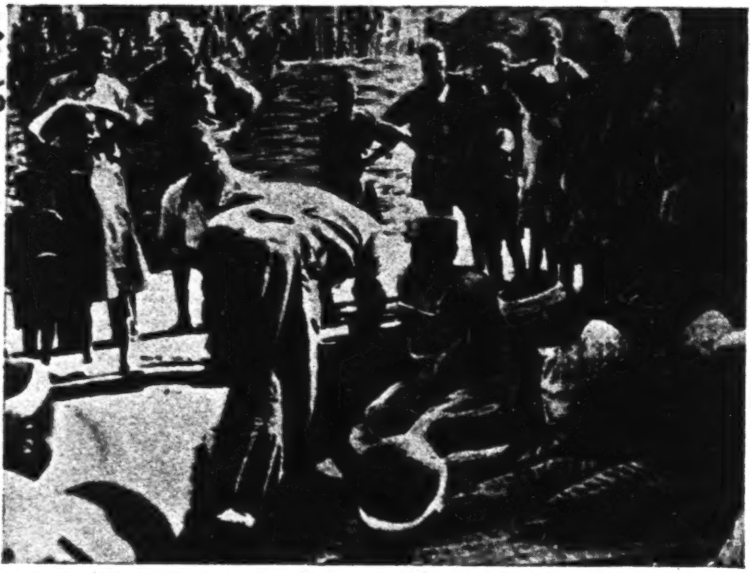

III. *Anointing the bride's feet with gall. The master of ceremonies rubs gall over the bride, who sits on a mat between a woman of her party and the guide.*

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IV. *The gall-bladder is safely pinned in the bride's hair. Thus decorated, she will return to her own village.*

[Facing p. 127]

[P. 127]

Appendix I

THE GALL BLADDER CEREMONY

This ceremony is known as *lusiwa* or sometimes is referred to by the word for gall bladder, *nyongo*. If it is performed, it takes place after arrangements for the marriage have been completed and before the bride begins to live with her husband. If the couple are Christians, it is held before the banns are called. I observed two of these ceremonies in 1948. 585

The ceremony takes place in the man's village at his mother's hut. In the evening of the day before the ceremony the bride arrives accompanied by three women from her own village. They may be kinswomen or important women of the village. One of these women is in charge of the bridal party. In one instance the leader was the bride's mother's husband's son's wife, and the other two women were another classificatory sister-in-law and a classificatory sister. In the other instance the women were a classificatory grandmother, a father's sister, and a younger sister.

The bridal party are given a hut to sleep in and are fed by the bridegroom's mother. In the morning they remain in their hut and each person who comes in to greet them must do in a special way. They reply with a little song.

The bridegroom's father asks a reliable friend in the village to act as master of ceremonies. The master of ceremonies chooses an animal from the byre of the bridegroom's father and tethers it near the groom's mother's hut. A message is sent to the bridal party, and the leader comes to look at the animal. She accepts it by saying 'Yes', and the master of ceremonies, or the lads who gather round to help him, kill the animal. It is said that the bride's leader could refuse the animal if she thought it a poor one, but to do so would upset all the arrangements for the marriage which has been agreed upon, and I did not hear of any instance of refusal. The animal killed is traditionally a cow, but in the tsetse fly areas where there are no cattle a goat is taken instead. [136]

The animal is killed by slitting its throat, and the blood is collected in a bowl. The intestinal fat of the animal is cut into little pieces and mixed with the blood. The gall bladder is carefully removed. When the animal has been skinned and the meat cut up, the leader of the bride's party is called again from her hut, and makes an allocation of meat, traditionally giving the head and one leg to the bridegroom's father. The rest belongs to her party. [231]

A mat is placed in front of the groom's mother's hut, and the bride comes out of her hut, preceded by the other women of her party. They walk slowly to the mat, and sit down on it. Sometimes the

585 bride herself refuses to sit on the mat until she has been given a present. She is joined on the mat by a small girl, aged about ten, from the groom's family, who becomes known as 'the guide'.[1] The leader of the bride's party and one other of the bride's women sit down on the mat, with the bride and the guide between them.

The instruction of the bride now begins, with a speech from some important man in the village, who takes the gall bladder and anoints [237] the head, arms and feet of the bride with the gall, going on to anoint the guide in the same way. They are then sometimes anointed with vaseline by a woman. One person after another, men and women, now proceed to lecture the bride on how she should behave in the [867] village, and each explains to her who he or she is in relation to her. The gall bladder is blown up and stuck in the hair of the bride, where she will keep it until she returns to her own village. Each person who delivers a speech of instruction gives a small present, a threepenny bit or beads, which they put into a plate on the mat at the bride's feet. This situation of formal instruction, often of an [183] abusive nature, accompanied by presents, is a recurrent one in Ngoni ceremonial.[2]

[237] Sometimes the small intestine of the animal is placed round the shoulders of a younger sister of the bride who is a member of her party. This girl is then designated linked co-wife (*nshanzi*) of the bride. This is not always done, and when it is done it does not imply that the girl will later become the real linked co-wife of her elder sister. Although in the two ceremonies I saw this designation of a linked co-wife did not occur, in both a sister of the bride was one of the bridal party.

[262] At the end of the instruction, the bride and her party go back into their own hut, and the leader cooks the liver of the animal, and the blood and fat. This she divides between the two families, sending the portion of the bridegroom's family to their hut for them to eat there. The guide stays in the bride's hut. After they have rested, the bride, guide, and their companions leave the village, taking the meat with them back to the bride's village. Outside her village the party stop, and are met by more women from the bride's family. The guide demands a small present before she will enter the village, usually beads. Inside the village the bride's mother takes the gall bladder from her daughter's head and buries it in the byre. The guide stays in the village for a few days, and demands another small present before she will assist the bride's people with cooking. When a quantity of flour has been pounded for the bride, and some maize half-pounded for the guide, the bride and the guide return quietly to the bridegroom's village. The bride begins to live with her husband, and the guide resumes her normal

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[1] *Mpelekesi*, from the verb *ku-pelekesa*, to accompany part of the way. Cf. Zulu *impelesi*, girl accompanying a bride to her wedding.

[2] See above, p. 77.

life as a young girl. She gives the half-pounded maize to the bride- 585
groom's mother.

In neither of the two ceremonies I saw did the husband play any large part. He did not appear when his bride was instructed. His father sent word to him that all was going well, but he himself stayed out of the way at the other end of the village. Sometimes, however, the bridegroom does sit with his bride on the mat and is instructed with her.

Another gall bladder ceremony which I recorded was held at the time the bride went to live with her husband. This was in an intra-village marriage. In the evening the bride came with important women from her section of the village. The bridegroom's relatives were waiting to receive them, and promised to give them a beast. The bride was then handed over to them. The women went back to their own division, and returned the next day to claim the beast
and wash the bride. The beast, an ox, was killed and the intestines [231]
were placed round the neck of a younger sister of the bride who became the designated linked co-wife.

If Christians hold the gall bladder ceremony before the bride begins to live with her husband, it is followed by a ceremony in church. The bride does not come back to live with her husband after the gall bladder ceremony but instead goes with her relatives to the local church, where they meet a party from the man's village, and the arrangements for the marriage are set in hand. After three weeks the couple are married in church. The bride then goes back again to her village and as before she pounds flour. After a few days she comes to live with her husband, or he comes to live with her.

Appendix II

FIRST COOKING

When a woman begins her marriage in her husband's village, 592
she cannot cook food until she has been invited to do so by her 252
husband's parents. Until then, she relies on food cooked by her 593
co-wives or her mother-in-law or grandmother-in-law. This state of affairs may last from a month up to a year. It is ended by the ceremony of 'making to cook' (*mphekiso*). I did not see this ceremony, and I have relied on the accounts of informants. It is said that a man's parents would be ashamed of their poverty if they did not entertain the new bride as a guest until the time had come for her to join in the general run of domestic work in the village.

The man's parents decide when the ceremony shall be held. On the day, the man's sisters, mothers and grandmothers prepare flour, plates, porridge pat and stirring stick in the house of the man's

592 mother. One of the man's sisters conducts the wife to her mother-
252 in-law's hut, and under the instruction of the assembled women
593 she begins to cook. Although people speak of her doing the cooking,
in practice all she does is to look on while her sisters-in-law do
[262] the work. The porridge is divided onto plates and distributed under
the directions of the man's mother. One plate is sent to the man's father, one to the husband who eats the porridge with his brothers, and one to the most important woman in the village, while some are taken by the cooks themselves. The man's father is expected to remark on how well the porridge has been cooked, but he may say that it has been poorly prepared and his daughter-in-law must be taught again. This expression of disapproval cannot be more than a way of showing his dislike for his daughter-in-law for whatever he says the ceremony is not repeated and the woman begins to cook regularly for her husband. If the man's relatives are wealthy, they may kill a goat or a sheep on this occasion, or the woman's parents may send a sheep or a goat to be killed and eaten. The woman's parents cannot themselves attend the ceremony.

If the couple begin their marriage uxorilocally this ceremony
[591] does not take place. The bride begins to cook for her husband as soon as he comes to live with her, using her grand-mother's hut as a kitchen.

Appendix III

THE HOEING PARTY

606 A man is under an obligation to provide once during his marriage
583 a party of hoers who work in his wife's mother's garden for the greater part of one day and who are rewarded by his wife's father. This party is called by the general word for obligations owed by a man towards his parents-in-law, *cikomwene*.[1] The function of this occasion, as a socially sanctioned method of expression of hostility between a man and his affines, has already been discussed. I attended one of these parties and my clerk attended two others.

The man, or a relative of his, tells his father that he is planning to bring a party to hoe on such and such a day. If the father-in-law agrees that the day is suitable he tells his wife to brew beer for the hoers. On the agreed day the hoeing party arrive early in the morning and begin to work in the garden. The father-in-law promises presents to the leader of the hoers, who continue to hoe until they are offered what they consider is sufficient. They then stop, and go to the village to receive the present and drink beer.

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[1] See above, p. 74.

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One day in December 1946 a party of eight men and two women arrived at 6.30 a.m. in the garden of Dinah.[1] They included Goliath, a young man recently married to a daughter of Dinah and Reuben. The party was led by one of the women. They hoed in the garden continuously but not very actively until 3 p.m. Reuben then asked Samuel, who lived in the village, to offer sixpence to the hoers. This offer was refused, and a little later Samuel came back again with the offer of a shilling. This was also refused, as was the next offer brought by Samuel, of ten shillings and sixpence. One of the hoers hinted to Samuel that they really wanted a beast. Samuel returned to the village and asked Bildah, his wife's mother and the village headman's eldest sister, to go and repeat the offer, lest Reuben should think that it was Samuel who was egging on the hoers. Bildah went with a number of people from the village and on seeing her the hoers began working frantically. They ceased to distinguish between maize and weeds and uprooted both. The hoers attacked Deborah, daughter of Dinah by a former husband, who tried to stop them, by throwing earth over her and hoeing round her as if she were a mound. One of the hoers tried to borrow my lamp so that they could continue working through the night. The people who had come from the village withdrew, followed by taunts from the hoers, 'You will find us here in the morning.' It began to get dark and at 7 p.m. when it was quite dark Reuben himself came out to speak to the hoers. He told the leader that if she insisted on a beast, he would give it them, but that he would also tell his wife to start brewing beer the next day; when his party brought the beer to their village, they would demand an even bigger present before they would go home. These remarks were met with derision and the hoers called for beer and cigarettes to sustain them through the night.

About half an hour later, the hoeing party appeared in the village and entered the hut of Goliath, who was living uxorilocally at the time. The leader of the party was called to Reuben's hut. On the verandah the money was counted out and handed over to her. She then said that they had never intended to demand a beast but had been only pretending. In Goliath's hut drinking began with beer provided by Dinah. Soon an argument broke out, some of the hoers protesting that they ought to have kept on hoeing until Reuben had given them a certain beast he was keeping in Goliath's own village.

In December 1947, in a nearby village, a man agreed that his son-in-law should bring a party to hoe, but did not brew any beer for the occasion. He offered them seven shillings and sixpence, but this was refused. He then offered the same amount again, and this was accepted, but the leader of the party said that they would go on hoeing until something else was added to the present. They went on hoeing all night long, sleeping at intervals. Both

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[1] See above, p. 81, for the genealogical connexions of this group of people.

606 583 offers had been made to the leader of the party through the mother-in-law acting as intermediary for her husband. In the morning the mother-in-law came to the garden to find the hoers still there. She fell to the ground beseeching them to stop. The leader then told the party to stop, which they did with much grumbling. One hoer said 'It would have been better if we had cut down some more maize to cool down our hearts.'

Appendix IV

CARRYING BEER

606 431 273 The carrying of beer is the first formal occasion on which the initiative is taken by the woman's kin and not by the man's. Beer is brewed by the woman's mother and is taken to the husband's father, or if he is not available, to the husband himself. It is known as *vipeko*, a word used to describe any offering of beer sent to a chief or headman in virtue of his position as such as well as beer sent to a a son-in-law. Beer can and is sent in this way more than once, to indicate the continued respect enjoyed by the man in the eyes of his parents-in-law. Members of the Dutch Reformed Church who are not allowed to drink proper beer send instead gifts of porridge to their sons-in-law. The beer, or its porridge equivalent, is sent at least once in about 40 per cent of all marriages. It is usually brewed while the couple are living virilocally.

It is held by some that a man cannot expect beer sent to him until he has made the legalization payment for his wife. In practice, if the woman's parents think that he is treating his wife well, they may brew beer for him despite the absence of legalization payment.

The beer is brewed by the woman's mother, and is carried in jars from one village to another. If the villages are too far apart to make this practicable, the woman's mother comes to stay with some relative in a nearby village and does her brewing there. She herself does not accompany the party carrying the beer.

The party may consist of, say, half-a-dozen women from the village. They carry the beer to the man's village, and halt just outside the village. Sometimes they demand a present before they will agree to enter the village. They are led to the hut of the man's parents or of his grandmother, and there they offer the beer to the man's relatives. They are given somewhere to sleep the night. In the morning people come to greet them, and as in the gall bladder ceremony they reply with a little song. The pots of beer are allocated by the man's father to important people in the village. People who come to drink the beer give presents such as threepenny bits which are collected by the leader of the party and which are

distributed among the women of the party as a recompense for 606
carrying the beer. The married couple drink the beer but do not 431
take any prominent part in the proceedings. The next day the 293
man's father gives a beast or a goat or money to the leader of the party. The animal is killed and the women carry the meat back to their own village where it is divided up by some important relative of the wife. If some of the sprouted maize and flour that were prepared for the brewing remain over, the mother-in-law may brew again, and send it to her son-in-law as before. The second brew of beer is called 'offering'.[1]

Appendix V

ENTERING THE WIFE'S MOTHER'S HUT

As performed nowadays elements are combined from what formerly 606
were two distinct ceremonies. The name of one of these, 'eating [118]
together' (*msyelano*) is now not often heard and the combined ceremony is known by the name of the other, 'entering' (*mngeniso*). It represents the final stage in the acceptance of the man as a satisfactory son-in-law and marks the formal setting aside of the avoidance relationship between him and his wife's mother. It is performed in about one marriage in eight. I attended two of these ceremonies.

Some informants say that like the carrying of beer the ceremony
of entering is not performed unless the legalization payment is made. [583]
However, I have recorded instances in which the ceremony was performed in the absence of any payment. It almost always occurs after beer has been carried to the man's village once or twice and when the man is living virilocally.

The parents of the woman send word to the village of the man that on such and such a day there will be beer brewed for him to enter the hut of his mother-in-law. On the day appointed the man and his wife go in procession with other people, singing and dancing, from their village to the village of the woman's parents. The procession traditionally should be led by the eldest child of the marriage, boy or girl, holding a club aloft, but this is not always done. The man's parents do not go with the party but stay behind in the village. On the outskirts of the woman's parents' village, the party may be met by people dancing out to meet them, and they sometimes pause to drink beer brought out to them. The dancing party go on into the cattle byre, or if there is no byre to some clear space on the fringe of the village. They enter the byre in a rough

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[1] *Nsembe*, an Nsenga word.

606 [273] order, first women, then men, and the couple last. Inside the byre they are given beer which they drink without praising.[1] They then dance on to the hut of the woman's mother and enter. Beer and a plate of boiled maize have already been put inside. The dancers are joined by a few important people from the family of the woman, but the woman's parents do not come into the hut at this stage. The people from the man's village, including the woman and her husband, sit on one side of the hut and the people from the woman's family on the other. One of the woman's relatives makes a speech about the added responsibilities of the husband, how he must come and visit in their village and must help his parents-in-law. There is sometimes a speech in reply from the man's side. A threepenny bit or a sixpence is placed on a basketwork plate on top of the beer by one of the man's people, and someone from the woman's side does the same. The money is picked up by someone else from the woman's side. Sometimes there is another plate, into which a representative of the man will put the real gift, as opposed to these tokens, which may be as much as one pound. This is also taken up by someone from the woman's side and is later given to the father-in-law.

606 273 A woman from the wife's side then takes a spoonful of boiled maize and spits it out again. She is followed by a woman from the husband's side, who does the same. This ends the formal stage of the ceremony and drinking begins. The distribution of the beer is controlled by the senior man in the husband's party. If they are so inclined they may go back again into the byre and dance or they may wander round the village dancing. If the father-in-law wishes, he may kill a beast for them.[2] When they are tired and have drunk their fill, they go back to their own village, leaving a walking stick behind them in the hut.

On the next day the party of dancers come back again, this time with the husband's parents. They go back into the wife's mother's house and the wife's parents join them there. There is beer, and the wife's mother fills a bowl and presents it to her son-in-law, kneeling at his feet and drinking from the bowl before handing it over to him, after the usual fashion of offering a bowl of beer to anyone. The son-in-law drinks, and passes the beer round the hut. The rest of the pots of beer are then presented to the son-in-law's [602] people, and drinking begins again. The two sets of parents sit together, and discuss the characters of their children. There is much plain speaking. When all the beer is finished the party breaks up, and people return to their own villages. The proceedings on the second day are referred to as 'following the dancing-stick',[3]

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[1] For the custom of praising when drinking beer, see Barnes, 'Fort Jameson Ngoni', pp. 216 ff. The beer drunk in the byre is called *nkatulo*.

[2] Called *congenela*. Cf. Zulu *ukhu-ngenela*, to enter for (something).

[3] *Kulanda zinthonga*. Cf. Zulu *ukhu-landa*, to follow, and *in-tonga*, a stick.

the allusion being to the stick which is left overnight in the hut 606
'to watch over the beer'. In retrospect the people from the man's 273
village talk of having 'fetched a broom there'.[4]

There seems to be considerable variation in the way in which this ceremony of 'entering' is carried out. It is not often performed and people have different ideas of what is correct. The man's people may decide to brew beer on their own account, so that sometimes the dancers are well intoxicated before they even arrive at the woman's village. They then find it difficult to adhere rigidly to any traditional form of behaviour.

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[4] *Tayotola mthanyelo.* Cf. Zulu *uku-tola*, to get, and *umshanelo*, a hand-broom.

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4: Barnes
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FR5 Ngoni FR5

[The Ngoni engage in gift giving and gift exchanges on frequent occasions, and the relevant information is scattered throughout the text. Since only a few major instances have been marked for this category, the interested reader should consult category 116.]

4: Barnes
631

FR5 Ngoni FR5

[Category 631 has been applied in a special sense, namely to cover Barnes' concept of "residential system" as defined on page 1 of the text. Thus it refers not only to political organization, but also to the entire hierarchy of spatially defined social groups.]